

REGENERATION AND ASSET BOARD

Venue: Town Hall,
Moorgate Street,
Rotherham.

Date: Wednesday, 12 September 2007

Time: 10.00 a.m.

A G E N D A

1. To determine if the following matters are to be considered under the categories suggested, in accordance with the Local Government Act 1972.
2. To determine any item which the Chairman is of the opinion should be considered later in the agenda as a matter of urgency.
3. Minutes of the previous meeting held on 11th July, 2007 (Pages 1 - 7)
4. Matters arising
5. Town Centre Development - Project Governance (Pages 8 - 12)
Paul Smith, Project Manager, to report.
 - to re-establish governance arrangements.
6. Proposed amendment to Rate Relief on Commercial Properties (Pages 13 - 15)
John Smales, Development Team Manager, to report.
 - to consider amendments to Finance Bill.
7. EXCLUSION OF THE PRESS AND PUBLIC
The following items are likely to be considered in the absence of the press and public as being exempt under Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs of any particular individual (including the Council)):-
8. Gillian Banks Dance School, Grange Lane, Maltby - request to purchase freehold interest (Pages 16 - 21)
James Dibaj, Senior Valuer, to report.
 - to consider options for the disposal of the Gillian Banks Dance School, Maltby.
9. Capital Receipts Update (Pages 22 - 26)
Carole Smith, Strategic Property Manager, to report.
 - to present an update.

10. Release of Restrictive Covenant on land off Christchurch Road, West Melton (Pages 27 - 32)
Carole Smith, Strategic Property Manager, to report.
 - to seek the release of covenant to allow residential development.
11. Church Room and Car Park, Church Lane, Maltby (Pages 33 - 37)
Carole Smith, Strategic Property Manager, to report.
 - to seek approval for appropriation of assets from Culture and Leisure and resources and information to Asset Management Service.
12. Land Adjacent to Crop Shop, Potter Hill, Greasbrough (Pages 38 - 41)
Carole Smith, Strategic Property Manager, to report.
 - to seek approval for disposal of land.
13. Land off Meadowhall Road, Kimberworth (Pages 42 - 46)
Carole Smith, Strategic Property Manager, to report.
 - to seek approval for litigation proceedings.
14. Land at Wadsworth Road, Bramley, Rotherham (Pages 47 - 51)
Carole Smith, Strategic Property Manager, to report.
 - to seek approval to grant rights over land for access to a residential development.
15. Warehouse Lane Doctors Surgery (Pages 52 - 56)
Carole Smith, Strategic Property Manager, to report.
 - to seek approval to dispose of land at Warehouse Lane for an extension to the Doctors' surgery.
16. Reresby House - Options (Pages 57 - 59)
Roy Liversidge, Valuation Manager, to report.
 - (i) to consider the acquisition of Rotherham Chamber's equitable interest
 - (ii) to consider a disposal of the building at a later date.

Extra item authorised for consideration by the Chairman

17. Wath Regeneration Land Transfer. (report attached) (Pages 60 - 74)
18. Date, time and venue of next meeting
WEDNESDAY, 24TH October, 2007 at 10.00 a.m. at the Town Hall, Rotherham.

For information:-

REGENERATION AND ASSET BOARD
Wednesday, 11th July, 2007

Present:- Councillor Stone (in the Chair); Councillors Ellis, Rushforth, Sharman, Smith and S. Wright.

Apologies for absence were received from Councillors Kirk, Hussain, R. S. Russell and Wyatt.

12. MINUTES OF THE PREVIOUS MEETING HELD ON 13TH JUNE, 2007

Consideration was given to the minutes of the previous meeting of the Regeneration and Asset Board held on 13th June, 2007.

Resolved:- That the minutes be approved as a correct record.

13. MATTERS ARISING

There were no matters arising from the previous minutes.

14. YORK CONSULTING CASE STUDY REPORT

Consideration was given to a report, presented by the Asset Manager, relating to the York Consulting Case Study Report on Rotherham's Corporate Capital Strategies and Asset Management Plans.

It was reported that York Consulting's report was a good testament to Asset Management in Rotherham and a post Beacon endorsement of our strategies, practices and procedures.

Board Members welcomed Asset Management as a National example of good practice as evidenced by the Council's Beacon Status Award.

Resolved:- That the report's conclusions be noted.

15. INDUSTRIAL LAND AND FLOORSPACE 2006

Consideration was given to a report, presented jointly by the Economic Strategy Manager and the Research and Spatial Development Officer, detailing the amount of floorspace and available employment land in the Borough, and how this had changed over the year.

The net total floor-space on Rotherham's employment sites rose to almost 2.6 million square metres in 2006, with 60,000 sq m. constructed in the last year - 21% of the total floorspace in Rotherham has been constructed within the last 10 years. 2006 was another good year for the uptake of land for economic development, a fall on the very high amount seen in 2005 but 20.05 hectares was the second highest rate since 2000. By the end of 2006 there were 291.2 hectares of available undeveloped land in

Rotherham identified for industrial or mixed use.

Since 1998 Rotherham has experienced high construction rates of new economic floorspace and high rates of uptake of land for economic development. This has resulted in an increase in the local employment rate (now close to the national average) and 24,000 new workplace jobs in the borough since 1998 (Source: ONS Annual Business Inquiry 2005). However there is no guarantee that construction / development rates will continue at this high rate (some development will undoubtedly have taken place due to funding/incentives under Objective 1 / Regeneration schemes which are coming to an end).

Board Members welcomed the excellent progress being made and the high level of activity taking place. It was noted that action was needed to utilise vacant premises and to attract new businesses to Rotherham.

Reference was also made to the need to consider any proposals from the Government to make more land available for housing and for the Council to be in a position to take advantage of any forthcoming legislation.

Resolved:- (1) That the Board notes the progress on the development of business space within the Borough.

(2) That the following measures be adopted to manage the existing vacancy rate on the Borough's industrial estates:

- (i) That the Council optimises its position on future development for speculative use, except in the case of Rotherham town centre which could greatly benefit from speculative office developments, and that the Council disposes of industrial sites only for known end users where these can be identified.
- (ii) That the Council contacts the owners of industrial premises which are redundant, derelict or in need of significant capital investment to return them to operational use, in order to establish a programme of Council intervention. There is scope for some older premises to be refurbished to suit particular requirements and fit respective budgets.
- (iii) That RiDO work with owners, agents and developers to market these properties and suggest alternative uses. Where a change of use has potential planning implications, RiDO will liaise with the Planning Department on the suitability of any suggested schemes.
- (iv) That the following sectors are targeted to locate in the borough; Advanced Manufacturing and Metals (high value engineering/manufacturing) that has a modern industrial requirement, Creative and Digital Industries which are mainly office based but could have a requirement for hybrid units,

Business and Professional Services that are mainly office based, and Energy and Environmental Technology Businesses that again could require hybrid units and sometimes laboratories and industrial accommodation.

- (v) That RiDO continues to use its Key Account Management programme to improve business retention within the borough as demand for property is driven by a wide range of factors such as skills shortages, market changes etc.

16. STRONG AND PROSPEROUS COMMUNITIES - THE LOCAL GOVERNMENT WHITE PAPER OCTOBER 2006 - COMMUNITY BUILDINGS REVIEW AND AREA ASSET MANAGEMENT PLANS - MAKING ASSETS WORK, THE QUIRK REVIEW FINDINGS

Consideration was given to a report, presented by the Asset Manager, which proposed an integrated comprehensive strategy and implementation programme to address the Local Government White Paper October 2006, Community Buildings Review, Development of Area Asset Management Plans, the Quirk Review Findings, the Government's Response to the Quirk Review, the Community Assets Fund and the proposed CPA and CAA requirements.

The major risk is that the Council does not develop, approve and adequately resource an integrated comprehensive strategy and implementation programme and issues such as Community Calls for Actions and 'PROD' powers are not addressed in a robust consistent manner and decisions are made on an ad hoc basis.

Board Members referred to the benefits accruing from previous and present Scrutiny Reviews and from the development of good schools facilities management.

The report set out detailed actions in response to the various initiatives.

Resolved:- That approval be given to the proposed items listed below which are detailed in appendix 3 to the report now submitted:-

1. Strategy, principles and governance
2. Next steps
3. Standard reply to asset transfer requests

17. EXCLUSION OF THE PRESS AND PUBLIC

Resolved:- That, under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting for the following items of business on the grounds that they involved the likely disclosure of

exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A to the Local Government Act 1972 (as amended March 2006) (information relating to the financial or business affairs of any particular person (including the Council)).

18. TOWN CENTRE SAFETY MANAGER

Consideration was given to a report presented by the Economic Strategy Officer, informing the Board of the background to, and the proposed introduction of, a Town Centre Safety Management project and the subsequent delivery of a Town Centre Crime Action Plan. The initiative included the appointment of a Town Centre Safety Manager.

It was reported that funding from the Rotherham Economic Regeneration Fund (RERF) had been approved.

Resolved:- That the approval of RERF funding from the remaining 2006/2007 revenue allocation to support the Town Centre Safety Management initiative be noted.

19. EMPLOYMENT OF POLICE ARCHITECTURAL LIAISON OFFICER

Further to Minute No. 8 of the meeting of the Cabinet Member for Regeneration and Development Services held on 4th June, 2007, consideration was given to a report, presented by the Economic Strategy Officer, relating to the employment of a Police Architectural Liaison Officer to ensure that anti-crime features were planned in to the new Town Centre developments from the outset, and to implement the anti-crime Action Plan.

Resolved:- That the approval of part-funding from the Rotherham Economic Regeneration Fund (RERF) be noted.

20. ROTHERHAM ECONOMIC REGENERATION FUND

Consideration was given to a report, presented by the Economic Strategy Officer, detailing the following elements in respect of the Rotherham Economic Regeneration Fund:-

- (i) Inform Members of the actual expenditure and activity in 2006/07 for individual projects
- (ii) to note the carry over amounts requested to complete project activity in 2007/08 and
- (iii) Provide a current position on RERF allocations in 2007/08

Resolved:- That the Board notes:-

- (i) the actual expenditure for RERF of £373,303 (split £266,620 capital and £106,682 revenue) in 2006/07.

- (ii) the current position of RERF in 2007/08
- (iii) the carryover of £1,119,941 consisting of £917,976 capital and £201,965 revenue into 2007/08.

21. ASTON-CUM-AUGHTON SERVICE CENTRE - PROGRESS REPORT

Consideration was given to a report, presented by the Asset Manager, updating the Board on the progress of the development of the Aston-cum-Aughton Service Centre.

The report detailed the practical and financial implications of this significant development. Board Members welcomed the proposals for a comprehensive customer – focussed development in connection with the Council's partners, which it was hoped would be completed in 2008.

Resolved:- That the report be noted.

22. LAND AT LONGFELLOW DRIVE, HERRINGTHORPE

Consideration was given to a report, presented by the HMR Team Leader, detailing a proposed extra care housing development to be provided at the Longfellow Drive sites.

The Board was asked to consider requests to dispose of the sites to a Housing Association for this purpose.

Details of the development of extra care housing 2007/2008, site identification, the proposed Longfellow Drive scheme and finance were set out in the report.

The Board carefully considered the loss of income involved compared with the significant grant income to be achieved which would lead to the provision of a high class development, as part of the Council's Older Person's Strategy and housing needs.

Resolved:- That the freehold sale of the land to Chevin Housing Association, at the discount stated, and on the basis that the Council receives all of the benefits detailed in this report, be approved.

23. LAND AT RIDGEWAY ROAD, EAST HERRINGTHORPE FOR EXTENSION TO CEMETERY

Consideration was given to a report, presented by the Asset Manager, seeking approval for the appropriation of land at Ridgeway Road, East Herringthorpe, from Asset Management Services to Neighbourhood Services for the purpose of an extension to the cemetery.

Appendix 1 to the report illustrated the land required.

Resolved:- That:-

- (1) the appropriation of Sites A, B, C and D from Asset Management Service to Neighbourhood Services at a value of £38,000 be approved.
- (2) the Assistant Chief Executive, Legal and Democratic Services completes the necessary documentation.
- (3) the Director of Central Finance arranges the appropriate budgetary adjustments.
- (4) the Director of Neighbourhood Services ensures that all necessary rights are reserved over the land to protect the Council's retained land.

24. LAND AT MILTON STREET, SWINTON

Consideration was given to a report, presented by the Asset Manager, seeking authority to settle a claim for registered title on land at Milton Street, Swinton.

Resolved:- (1) That the Director of Asset Management be authorised to negotiate a settlement with the registered owner of the land on the basis described in the report and a subsequent sale or lease to adjoining owner(s).

(2) That the Assistant Chief Executive of Legal and Democratic Services be asked to complete the necessary transfer documentation.

25. LAND AND PROPERTY BANK - CAPITAL RECEIPTS UPDATE

Consideration was given to a report, presented by the Strategic Property Manager, which highlighted changes to the forecast of capital receipts resulting in a revision to the Council's capital programme.

Details of the various transactions were set out in the report.

Resolved:- That the position on the current status of the capital receipts which support the capital programme be noted.

(Consideration was given to the following matter as an urgent item to enable discussions with the developer to proceed)

26. ROTHERHAM RENAISSANCE - COUNCIL OFFICE BUILDING

The Strategic Director of Environment and Development Services gave a presentation showing the design, as of today, of the Council Office Building to be provided as part of Rotherham Renaissance.

The presentation gave illustrative sketches, backed up by outline details.

Reference was made to the aims of the building being to provide first class customer services in an iconic building, taking into account energy use, natural lighting, space and quality.

It was noted that the design would include an allowance for flooding.

Resolved:- That the present position be noted.

ROTHERHAM BOROUGH COUNCIL – REPORT to MEMBERS
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1.	Meeting:	Regeneration & Asset Board
2.	Date:	12 September 2007
3.	Title:	Town Centre Development Project Governance.
4.	Programme Area:	Environment & Development Services

5. Summary

That a Project Team and Governance arrangements be re-established to enable the specification, design, procurement and delivery of :-

- Lot 1) Town Centre Civic Accommodation.
- Lot 2) Town Centre Cultural Accommodation.
- Lot 3) Development of sites vacated by Lots 1 & 2.

6. Recommendations

- a) That a “Town Centre Development” Project Board is re-established as a sub group of the Regeneration & Asset Board.
- b) That the Cabinet Member for Environment & Regeneration continues as the Project Champion
- c) That the Chief Executive be Project Sponsor, until a permanent Strategic Director for EDS can assume the role.
- d) That RIDO’s Development Team Manager leads the delivery of Lot 3 developments.
- e) That the terms of reference outlined in section 7 are still agreed.
- f) That revised membership of the Project Board, as outlined in section 7 is agreed.
- g) That the Director of Asset Management leads the Town Centre Civic (Lot 1) and Cultural Accommodation (Lot 2) procurement and delivery with the Design Consultancy Manager as Project Manager

7. Proposals and Details

Background

RMBC are well advanced in the OJEU procurement of:-

- Lot 1) Town Centre Civic Accommodation.
- Lot 2) Town Centre Cultural Accommodation.
- Lot 3) Development of sites vacated by Lots 1 & 2.

The procurement process has commenced with the issue of an OJEU notice on the 26th April 2006, via the method of Competitive Dialogue. This allowed developers to bring forward all commercial, legal, location and regeneration options for RMBC consideration.

Project Governance

A report to Regeneration & Asset Board on 17th May 2006 (B44 (168)), ratified at cabinet on 21st June 2006 (Item 45) established a members Project Board, acting as a sub-group of the Regeneration & Asset board.

The Members on this Project Board were:-

- Cabinet Member, Economic Regeneration & Development
- Cabinet Member, Customer Services & Innovation
- Cabinet Member, Finance & Corporate Services
- Cabinet Member, Lifelong Learning, Culture & Leisure

Following the changes to Cabinet Portfolios, the Regeneration & Asset Board of 13th June 2007 – “Resolved: That the Director of Asset Management revised and review the composition and remit of this project board, and report to the next meeting of the Regeneration and Asset Board.” The recommendations of this review are that:-

- a) A Member / Officer Project Board is re-established, as a sub-group of the Regeneration & Asset Board.
- b) That the Chief Executive be Project Sponsor, until a permanent Strategic Director for EDS can assume the role.
- c) That the Cabinet Member for Economic Regeneration & Development Regeneration continues as the Project Champion
- d) That the Design Consultancy Manager within EDS continues to lead this procurement exercise and the delivery of the Town Centre Civic and Cultural accommodation.
- e) That RIDO’s Development Team Manager leads the delivery of Lot 3 developments.
- f) That the Director of Asset Management assumes the project role of corporate client for Council accommodation.

Proposed terms of reference for the reconstituted Project Board.

- 1) To exercise project governance that enables the council to monitor, approve and co-ordinate the specification, procurement and delivery of the following projects:-
 - Lot 1) Town Centre Civic Accommodation.
 - Lot 2) Town Centre Cultural Accommodation.
 - Lot 3) Development of sites vacated by Lots 1 & / or 2.
- 2) To operate as a sub-group of Regeneration and Asset Board in relation to the above projects and recommend to Regeneration & Asset Board for key decisions, which in turn will be presented to Cabinet for final approval.
- 3) To co-ordinate the activities of this Project Board with other boards and committees.
- 4) To establish and oversight a Members "Town Hall User Group" to review & inform:-
 - a. Member's accommodation and operation in the new Civic building.
 - b. Identification & future plans for items with Heritage and/or Civic value within the existing Town Hall.

Proposal for Project Board Membership

Cllr Roger Stone	Leader of the Council
Cllr Gerald Smith	Cabinet Member, Regeneration & Development Services
Cllr Terry Sharman	Deputy Leader & Cabinet Member, Finance & Corporate Services
Cllr Ken Wyatt	Cabinet Member, Sustainability, Performance and Modernisation
Mike Cuff	Chief Executive of the Council
Karl Battersby	Acting Strategic Director, Environment & Development Services
Andrew Bedford	Strategic Director, Financial Services
Ian Smith	Director of Asset Management
Richard Poundford	Director of Regeneration (RIDO)
Phil Rogers	Director of Culture & Leisure
Paul Smith	Design Consultancy Manager (Asset Management)
John Smales	Development Team Manager (RIDO)

"Our Future" working groups.

To enable the delivery of the above project the project board will be required to co-ordinate with OUR FUTURE Member/Officer Groups.

8. Finance

£1.5 Million is included in the capital programme, under the title "Town Centre Design Work". This funding is allocated to fund the technical & procurement activity.

£60 Million is included in the capital programme, under the title "New Civic Quarter". This funding is allocated to fund the design, fit out & occupation of New Civic accommodation.

£30 Million is included in the capital programme, under the title "New Cultural Quarter". This funding is allocated to fund the design, fit out & occupation of a new cultural Centre.

It is envisaged that Programme Areas and Our Future Groups will incur costs in achieving related work stream deliverables. These are currently unknown.

9. Risks and Uncertainties

- a) The viability of a commercial deal for Lot 1 on the Guest & Chrimes site is highly probable, but not certain.
- b) The viability of a commercial deal for Lot 2 on the Forge Island site is highly probable, but not certain.

10. Policy and Performance Agenda Implications

Delivery of the new town centre accommodation and Rotherham town centre Renaissance shall be a major factor in delivery of the corporate strategy.

11. Background Papers and Consultation

Previous reports to cabinet on the capital programme.

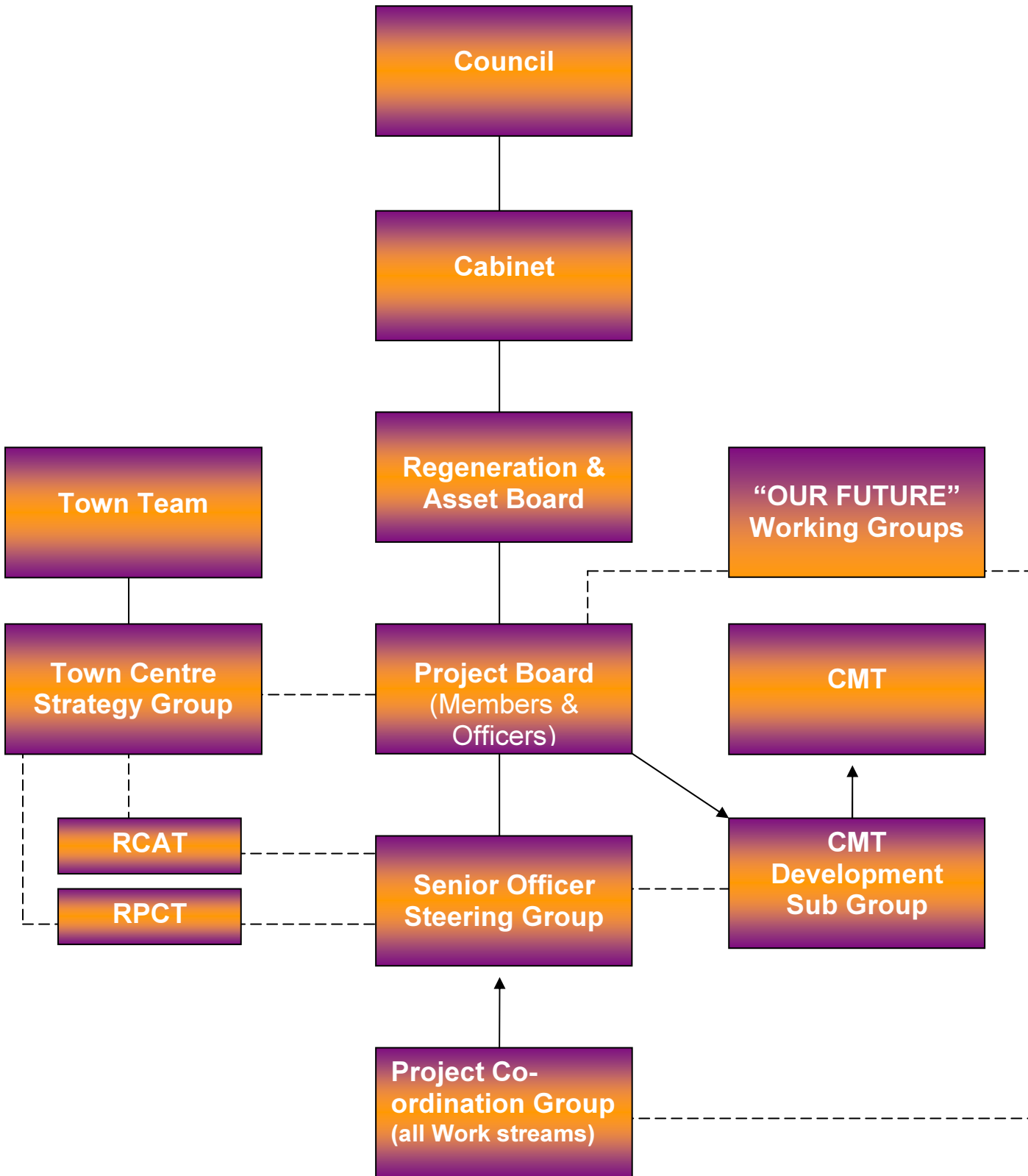
Guest & Chrimes report to Cabinet 1st March 2006 & resultant Cabinet Minute 258 “.the OJEU notice be prepared & issued”.

A report to Regeneration & Asset Board on 17th May 2006 (B44(168)), ratified at cabinet on 21st June 2006 (Item 45) established a members Project Board, acting as a sub-group of the Regeneration & Asset board.

Contact Name :

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Design Consultancy Manager
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Appendix A
Town Centre Development Project Governance
Structure & Relationships



ROTHERHAM BOROUGH COUNCIL – REPORT TO MEMBERS

1.	Meeting:	Regeneration and Asset Board
2.	Date:	12 September, 2007
3.	Title:	Proposed Amendments to Rate Relief on Commercial Properties
4.	Programme Area:	Environment and Development Services

5. Summary

New legislation is to be introduced to remove many of the rate relief benefits which commercial property owners enjoy on vacant commercial premises.

6. Recommendations

That members note the new proposals.

7. Proposals and Details

On 11 May 2007 the Government announced new proposed legislation aimed at encouraging empty shops, offices, factory and warehouse buildings back into operational use as part of a package to create thriving urban centres, renovate empty buildings and promote better use of brownfield land.

At present, most empty commercial property receives a 100% relief from taxation after the first three months, and 50% thereafter; and empty warehouses and factories receive a permanent exemption from rates. Under the new proposals, industrial premises can lay empty only for six months before they are liable for 100% rates charge which in South Yorkshire would equate to a rates liability of around £2 per square foot on new developments, valued at around £4.75 per square foot for rental.

The region is currently experiencing more speculative development than at any time in the past five years which demonstrates the high level of confidence in the market. This type of private sector investment is contributing to the regeneration of many of the more deprived areas, bringing business and employment opportunities. The proposals will impact upon the viability of such schemes as profits will be reduced and the consequential encouragement to invest eroded. Whilst it is impossible to accurately predict the full impact of the proposal, there is a very strong possibility that it will slow down the rate of growth in the warehousing and distribution sector. However, if the proposal positively contributes to a reduction in such speculative development which would otherwise remain vacant for a significant time and non-speculative development took place then the proposal could be beneficial.

The legislation has not yet been drafted, and the full reach of the charges are not yet known. However, the legislation does not only affect industrial property but there will be further rate charges levied upon vacant office space, currently exempt from charges for three months from vacant possession and subject to a 50% rate charge thereafter. When the legislation is passed the proposal is that office space will no longer be eligible for a discounted rate and will incur the full rate charge. There is no confirmation yet about how the legislation will affect other rate exempted properties such as listed buildings or derelict buildings and land. So far, the only concession that has been amended is a complete exemption from rate relief for charities and community amateur sports clubs on their empty properties. From last month a new 100% capital allowance is available for the cost of renovating or converting unused businesses in deprived areas. This is the new Business Premises Renovation Allowance (BPRA) applicable to assisted areas.

The budget in April also included a major consultation on brownfield tax relief's including proposals to extend Land Remediation Relief (LRR) to include not only chemically contaminated brownfield sites but also sites that have become derelict as a result of long term abandonment and sites contaminated by invasive plant species such as Japanese Knotweed. LRR is a 150% tax allowance against the cost of remediating contaminated sites.

The consultation suggests linking an extended LRR to planning permission thereby, say the Government, of providing a double incentive for sites not only to be cleaned up but also to be brought back into effective use, reducing pressure on alternative, possibly Greenfield sites. It is worth noting that whilst the new tax exemption proposal is an improvement on the previous situation, it still falls significantly short of the Government assistance given under the now abandoned Derelict Land Act which gave a capital grant of 80% of eligible costs to the private sector in Assisted Areas and 100% of eligible costs to the public sector. In addition to this measure, the Government has also announced that it will consult on the tax treatments of payments made by leaseholders when they pay a penalty clause to landlords for prematurely ending a lease. This is an important issue for many companies who need to move or to expand but are contracted to carry on a lease. This should help companies to release property that they no longer need or want thereby helping new businesses to access these premises and existing businesses to take on new property in a more flexible way.

The Finance Bill, which incorporates these proposals, will have its final reading in July. If ratified, the legislation will be implemented on 1st April 2008.

8. Finance

There will not be any direct impacts upon the Councils finances. It will take time for the effectiveness, or otherwise, if the new measures to be established in terms of contributing to the growth of regeneration. However, if the measures help to reduce speculative development which remains unoccupied for lengthy periods this will clearly be beneficial.

11. Background Papers and Consultation

1. From: Parliament Today.com

**Contact Name : John Smales, extension 3873, Development Team Manager,
john.smales@rotherham.gov.uk**

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