

## Summary Sheet

### Committee Name and Date of Committee Meeting

Cabinet and Commissioner's Decision Making Meeting – 16 October 2017.

### Report Title

Swinton Town Centre Redevelopment – Development Brief and Acquisition of Integral Site

### Is this a Key Decision and has it been included on the Forward Plan?

Yes

### Strategic Director Approving Submission of the Report

Damien Wilson, Strategic Director of Regeneration and Environment.

### Report Author

Louise Murray, Strategic Asset Manager, Asset Management.

### Ward(s) Affected

Swinton

### Executive Summary

This report asks that Cabinet approves the Development Brief for Swinton Town Centre and its proposed submission to developers and further, approves the acquisition of the integral site identified in Exempt Appendices D and E, subject to agreement of satisfactory terms, as part of the Council's Town Centres regeneration ambitions.

### Recommendations

1. That the content of the Development Brief for Swinton Town Centre and the proposed submission to developers with a view to obtaining design submissions be approved.
2. That Council be recommended to approve the acquisition of the integral site forming part of the redevelopment site on the basis outlined in Exempt Appendix E, subject to the agreement of satisfactory terms, and that this acquisition is added to the Council's Capital Programme 2017/18.
3. That the Assistant Director for Planning, Regeneration and Transport be authorised to negotiate and agree the terms of the acquisition outlined in Appendix E.

4. That the Assistant Director of Legal Services be authorised to complete the necessary documentation relating to the acquisition of the integral site.

### **List of Appendices Included**

Appendix A – Plan of Swinton development site.

Appendix B – Development Brief for Swinton.

Appendix C – Informative plans to be included in Development Brief pack.

Appendix D – Plan of site to be acquired – Exempt Addendum.

Appendix E – Exempt Addendum to report with details of owner of site to be acquired and proposed acquisition price.

### **Background Papers**

Demolition of Charnwood House, Swinton and inclusion in the capital programme – 26 June 2017.

### **Consideration by any other Council Committee, Scrutiny or Advisory Panel**

No

### **Council Approval Required**

Yes

### **Exempt from the Press and Public**

*An exemption is sought for Appendices D and E under paragraph 3 (Information relating to the financial or business affairs of any particular person (including the authority holding that information)) of Part I of Schedule 12A of the Local Government Act 1972 is requested, as this report contains sensitive commercial information with regards to the potential acquisition of land and negotiation strategy which could disadvantage the Council if the information were to be made public.*

*It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information, as the parties' commercial interests could be prejudiced by disclosure of this commercial information.*

## **Swinton Town Centre Redevelopment – Development Brief and Acquisition of Integral site**

### **1. Recommendations**

- 1.1 That the content of the Development Brief for Swinton Town Centre and the proposed submission to developers with a view to obtaining design submissions be approved.
- 1.2 That Council be recommended to approve the acquisition of the integral site forming part of the redevelopment site on the basis outlined in Exempt Appendix E, subject to the agreement of satisfactory terms, and that this acquisition is added to the Council's Capital Programme 2017/18.
- 1.3 That the Assistant Director for Planning, Regeneration and Transport be authorised to negotiate and agree the terms of the acquisition outlined in Appendix E.
- 1.4 That the Assistant Director of Legal Services be authorised to complete the necessary documentation relating to the acquisition of the integral site.

### **2. Background**

- 2.1 A report was considered at Overview and Scrutiny Management Board (OSMB) on 1 July 2016, outlining the proposals for the regeneration of Rotherham Town Centre. As part of the ensuing discussion, it was confirmed that town centres throughout the Borough were being considered for regeneration where opportunities could be identified and that details of each would be presented to Cabinet for consideration in due course. Swinton was confirmed at that meeting as a town centre which would be brought forward at an early stage due to a specific opportunity related to existing Council-owned land and buildings and an option to acquire an adjacent site from a public sector partner organisation. More lately, discussions have begun with regard to other potential Town Centres regeneration opportunities, for example, Wath.
- 2.2 The regeneration of Swinton Town Centre has been under consideration for some time. The proposal has been underpinned by a number of demolitions and this has resulted in a largely clear site which is ready to be redeveloped.
- 2.3 Certain public buildings are proposed to be retained as part of the development, namely the community centre, the parade of shops together with the residential accommodation above and also a library function, in some form, as part of the proposals. However, the main intended outcome of the development will be the delivery of new homes in a range of sizes and tenures.
- 2.4 More recently the site of the former Charnwood House has been included in the wider site with demolition planned to commence in late August 2017. The demolition was approved by Commissioner Kenny on 26 June 2017.

- 2.5 Only one part of the site is still to be acquired, and once this is complete the entire site will be within the Council's ownership. The combined site is shown edged in red on the attached plan at Appendix A.
- 2.6 A Development Brief has been prepared with the intention that this is provided to developers and design proposals requested. The Brief is attached at Appendix B. Additional informative plans, which will be included in the Development Brief pack, are attached at Appendix C.

### **3. Key Issues**

- 3.1 The redevelopment of Swinton Town Centre by the Council, in partnership with a developer, will enable control of the nature and quality of the development to be retained, ensuring that all needs are met. The Development Brief also requires that any proposal allows for refurbishment of the shop parade, the community centre and the appropriate relocation of the library, providing public realm improvements within the overall cost envelope.
- 3.2 In addition, the Brief requests that developers approach the proposal with a focus on creativity and a view to providing a catalyst for further improvements in the area. It is expected that the redevelopment will be innovative in design and quality terms and that both the market and affordable homes provided will enhance the community further, creating a new customer base for existing businesses and increasing the viability of the Town Centre offer.

### **4. Options Considered and Recommended Proposal**

#### Option 1

- 4.1 **The site to remain in its present state with no action or intervention** – the land assembly and associated demolition which has taken place at the location has been undertaken with the long term view that the site would either be sold on the open market or would be redeveloped by the Council in partnership. To leave the site in its present state would increasingly place a blight upon Swinton Town Centre, affecting its viability in the future and depressing surrounding property values.

#### Option 2

- 4.2 **Sale on the open market** - An analysis of this option is included in Exempt Appendix E.

#### Option 3

- 4.3 **Development through a potential Special Purpose Vehicle (SPV) for Housing and Regeneration** – exploration of the options in respect of the SPV is underway though if it is decided to proceed, its creation will take some time. The timescale therefore does not accord with the need to develop the site in the near future but, also, it is not considered that placing the site within the SPV will deliver any additional benefits.

#### Option 4

- 4.4 **Development of grant-funded affordable housing, rather than mixed tenure provision** – the development of a large number of affordable homes in Swinton Town Centre may be sustainable though the overall viability of the site will be diminished. In addition, the limiting of tenure provision will exclude those who wish to own their own home outright and therefore reduce community integration through a lack of tenure mix.

#### Option 5

- 4.5 **Submission of Development Brief to Developers together with the acquisition of the integral site** - this will allow the market to deliver a scheme which meets all requirements, ensuring viability but with the Council retaining control of the outputs, especially in terms of quality and design. The Brief requires that developers include 25% affordable provision in their proposals, ensuring that the eventual offer at the site meets all customer needs and that affordable provision is maximised. While the intention is to generate 25% affordable housing from the scheme this will be dependent on viability and there is the prospect of a lower percentage of affordable housing. This is the preferred option.

#### Acquisition

- 4.6 An analysis of the options for the **acquisition** is included in Exempt Appendix E.

### **5. Consultation**

- 5.1 Consultation has taken place with local members. Soft market testing has also been undertaken with developers and architects.

### **6. Timetable and Accountability for Implementing this Decision**

- 6.1 Following approval, the Development Brief will be submitted to developers for consideration by the end of October 2017 with a return date of the end of December 2017. Options together with a recommended proposal will be placed before Cabinet in April 2018.

### **7. Finance and Procurement Implications**

- 7.1 It is proposed that the acquisition of the integral site, as referred to in Paragraph 2.6 of the Exempt Appendix, be added to the Council's Capital Programme for 2017/18. Any financial implications arising from proposals, submitted following the issuing of the Development Brief, will be considered in the report that is timetabled to be taken to the Cabinet and Commissioners' Decision Making Meeting in April 2018.

7.2 The proposed recommendation to submit the Development Brief to developers will be undertaken in accordance with the Public Contract Regulations 2015 and the Council's own Contract Procedure Rules.

## **8. Legal Implications**

8.1 There are no direct legal implications arising at this stage from the recommendations.

## **9. Human Resource Implications**

9.1 There are no human resources implications arising from this report.

## **10. Implications for Children and Young People and Vulnerable Adults**

10.1 The proposal will provide a range of market and affordable housing options which are likely to enhance the lives of children, young people and vulnerable adults who access them.

## **11. Equalities and Human Rights Implications**

11.1 There are no Equalities and Human Rights implications relevant to this report.

## **12. Implications for Partners and Other Directorates**

12.1 The acquisition proposal will enable the owner to dispose of a surplus site, facilitating the redevelopment of a key site in the Borough.

## **13. Risks and Mitigation**

13.1 There is a risk that the offering of the site to developers in the marketplace may not result in a suitable, viable proposal or indeed result in the submission of any proposals at all. If this happens the options above will be reconsidered and an alternative proposed way forward determined.

13.2 The successful proposal may not be viable if all public realm improvements are included though the position will not be known until submissions are received and assessed. If this is the case further consultation with local members will take place and the outcome will be fully referenced in any ensuing Cabinet reports.

13.3 Soft market testing in relation to the redevelopment of Swinton Town Centre has been undertaken with developers and architects and this has indicated that there appears to be demand for the site from the development market.

## **14. Accountable Officer(s)**

Damien Wilson – Strategic Director of Regeneration & Environment.

Paul Woodcock – Assistant Director of Planning, Regeneration & Transport

Paul Smith – Head of Asset Management

Louise Murray – Strategic Asset Manager

Approvals obtained on behalf of:-

	<b>Named Officer</b>	<b>Date</b>
Strategic Director of Finance & Customer Services	Graham Saxton	29.09.2017
Assistant Director of Legal Services	Dermot Pearson	28.09.2017
Head of Procurement (if appropriate)	Joanne Kirk	28.09.2017
Head of Human Resources (if appropriate)	John Crutchley	28.09.2017

*Report Author: Louise Murray, Strategic Asset Manager*

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