

Public Report with Exempt Appendix
Cabinet and Commissioners' Decision Making Meeting

Summary Sheet

Name of Committee and Date of Committee Meeting

Cabinet and Commissioner's Decision Making Meeting – 17 September 2018

Report Title

Disposal of Land at William Street/ Whitelee Road, Swinton

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

Not a key decision though on the forward plan

Strategic Director Approving Submission of the Report

Damien Wilson, Strategic Director of Regeneration and Environment

Report Author

Jonathan Marriott, Estates Manager
01709 823898 or jonathan.marriott@rotherham.gov.uk

Ward(s) Affected

Swinton

Executive Summary

To consider the recommendation to dispose of an area of land used as a private car park by way of a private treaty to the occupier.

Recommendations

1. That approval be given to the disposal of land as shown edged and hatched in red at Appendices 1 and 2 as detailed within Option 1 of this report.
2. That the Assistant Director of Planning, Regeneration and Transport be authorised to negotiate and agree the terms and conditions of the proposed disposal, with the Assistant Director of Legal Services negotiating and completing the necessary legal documentation.

List of Appendices Included

Appendix 1 Location Plan
Appendix 2 Site Plan
Appendix 3 Exempt Addendum

Background Papers

None

Consideration by any other Council Committee, Scrutiny or Advisory Panel

None

Council Approval Required

No

Exempt from the Press and Public

While the main report is an open item, exemption for Appendix 3 is requested 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, as it contains sensitive commercial information with regards to the Council's contracts.

Disposal of Land at William Street/ Whitelee Road, Swinton

1. Recommendations

- 1.1 That approval be given to the disposal of land as shown edged and hatched in red at Appendices 1 and 2, as detailed within Option 1 of this report.
- 1.2 That the Assistant Director of Planning, Regeneration and Transport be authorised to negotiate and agree the terms and conditions of the proposed disposal, with the Assistant Director of Legal Services negotiating and completing the necessary legal documentation.

2. Background

- 2.1 The area of land subject to this report equates to 1.15 acres (0.06 hectares) and is located off William Street/ Whitelee Road, Swinton and edged and hatched red at Appendices 1 and 2. The land is located within an established industrial area, directly opposite the manufacturing and distribution centre of Stelrad Radiators.
- 2.2 Stelrad has used the land as a secure car park for use by staff since 2002. Stalrad is holding over under the terms of an expired lease. Under this protected tenancy Stelrad has the continued option to purchase the freehold interest in this land at an agreed Market Value.

3. Key Issues

- 3.1 Stelrad have recently approached Asset Management with a request to purchase the land in order to secure parking provisions for its staff, which is key to its long term plans for retaining the manufacturing and distribution centre in Swinton.

4. Options considered and recommended proposal

- 4.1 Option 1 – Cabinet resolves to dispose of the land to Stelrad by way of private treaty sale at the agreed purchase price detailed within paragraph 2.9 of the exempt addendum at Appendix 3. The Market Value is to be established by way of an independent valuation.
- 4.2 Other options have been considered but discounted; these are to either Option 2, retain this land for future revenue; or Option 3, dispose of it on the open market. Neither of these options can be considered at this stage in the process because the option to purchase has been triggered by Stelrad, which the Council is obliged to progress.
- 4.3 It is recommended that Option 1 is agreed, considering Stelrad's option to purchase is contained within its protected tenancy. This will also give certainty to a major local employer, whilst offering a cost effective method of disposal without the need for incurring marketing costs. This will also ensure that the capital receipt will be received within the current financial year.

5. Consultation

5.1 Ward Members have been consulted though no responses have been received at the time of writing this report.

6. Timetable and Accountability for Implementing this Decision

6.1 If Option 1 is agreed then the decision can be implemented immediately and the Assistant Director of Legal and Democratic Services instructed to complete the necessary legal documentation.

7. Finance and Procurement Implications

7.1 Considered within the exempt addendum within Appendix 3

8. Legal Implications

8.1 There are no immediate legal implications arising from the recommendations in the report.

9. Human Resource Implications

9.1 There are no HR implications arising from this report.

10. Implications for Children and Young People and Vulnerable Adults

10.1 None considered

11. Equalities and Human Rights Implications

11.1 None considered

12. Implications for Partners and Other Directorates

12.1 None considered

13. Risks and Mitigation

13.1 In order to ensure best value and compliance with the terms of the lease agreements option to purchase, a jointly appointed Independent Valuation Report has been jointly instructed by the Council and Stelrad to calculate the Market Value which will determine the price payable. The surveyor's fee for this valuation is to be shared equally between both parties.

14. Accountable Officer(s)

Damien Wilson, Strategic Director of Regeneration and Environment
Jonathan Marriott, Estates Manager Asset Management

Approvals obtained on behalf of:-

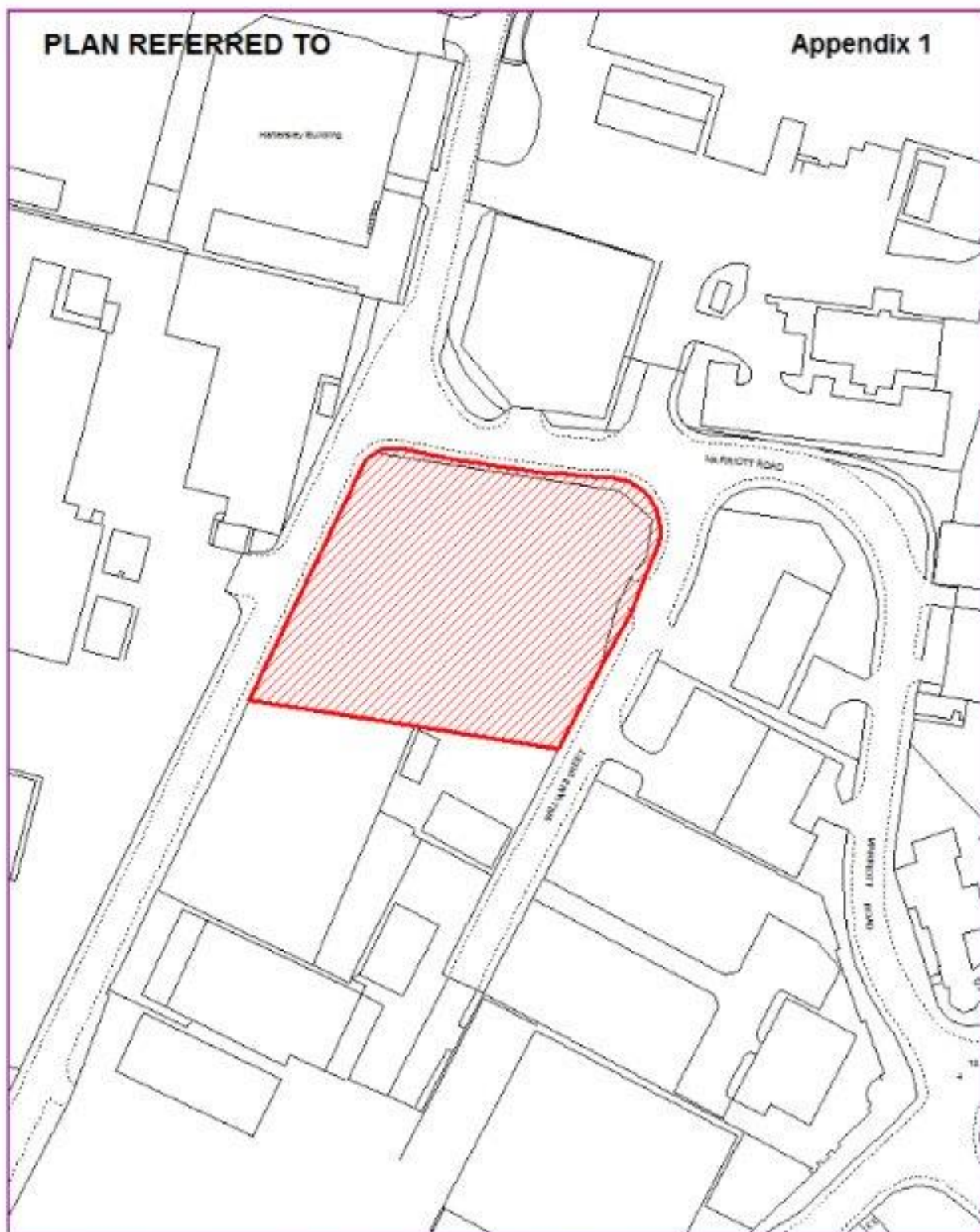
| | Named Officer | Date |
|---|----------------------|-------------|
| Strategic Director of Finance & Customer Services | Jon Baggaley | 13.07.2018 |
| Assistant Director of Legal Services | Ian Gledhill | 13.07.2018 |
| Head of Procurement (if appropriate) | | |
| Assistant Director – Human Resources (if appropriate) | | |

*Report Author: Jonathan Marriott, Estates Manager
01709 823898 or jonathan.marriott@rotherham.gov.uk*

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PLAN REFERRED TO

Appendix 1



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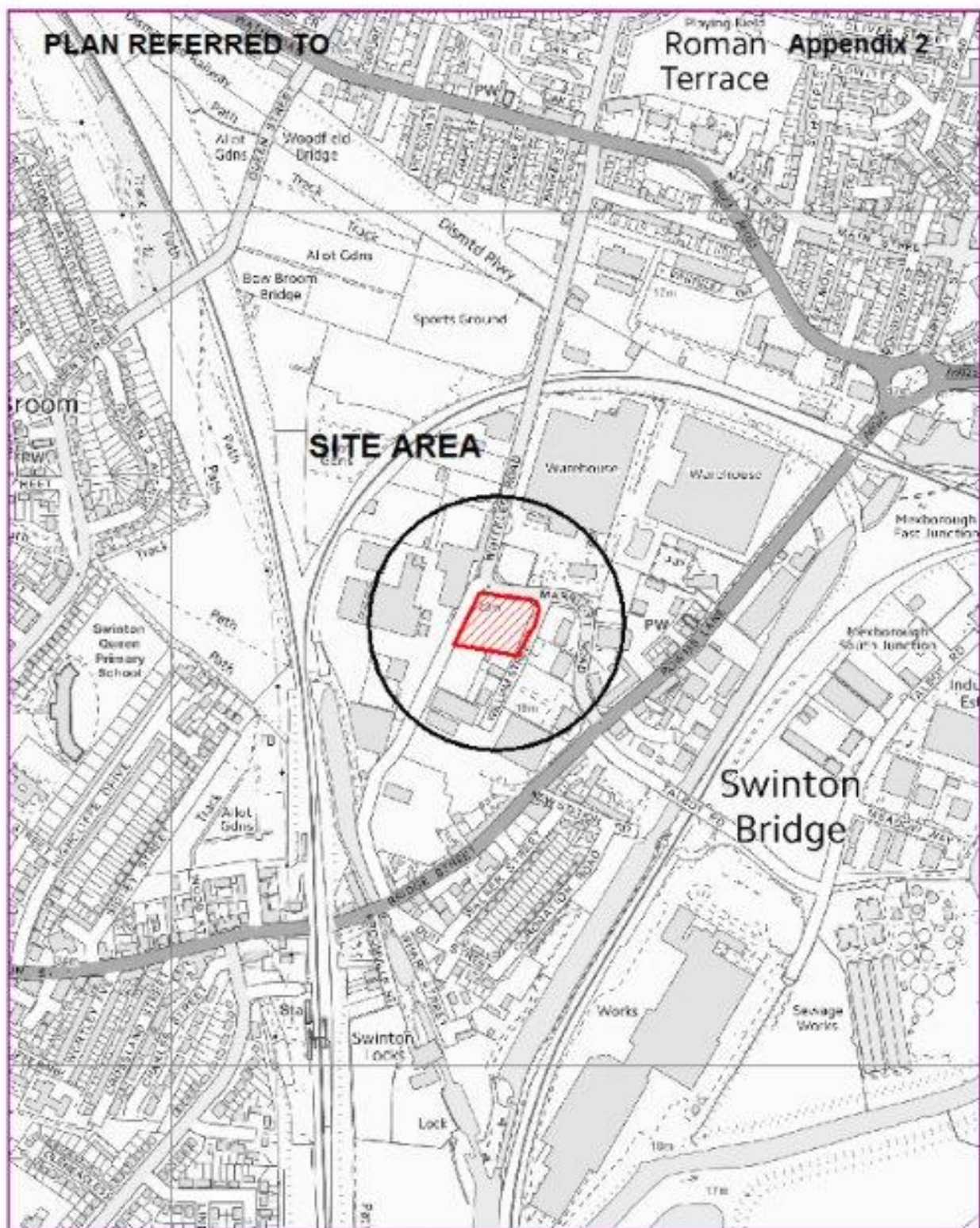


Scale 1:1250

1.15 Acres of Land at William Street/Whitelee Road
Swinton
Rotherham

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Rotherham
Metropolitan
Borough Council



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Scale 1:6000

1.15 Acres of Land at William Street/Whitelee Road
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