

REPORT AUDIT TRAIL**CONSULTATION**

*This is important as it shows that consultation has been undertaken in the preparation of the report and provides a quick reference point for specific comments, whilst the report will not be publishable if these areas have not been completed by the named persons below. **You must liaise with and receive sign off from the relevant Cabinet Member(s).***

Name/Position	Portfolio/Ward/ Directorate	Date Sent	Date Received	Comments in para:
Councillor (Select Cabinet Member Name)	Cabinet Member for (Select Cabinet Portfolio)	Click here to enter a date.	Click here to enter a date.	
<i>Name of Strategic Director</i>	Assistant Chief Executive/ Strategic Director for (relevant directorate)	Click here to enter a date.	Click here to enter a date.	
<i>Owen Campbell,</i> Finance	Finance and Customer Services	14/06/21	24/06/21	Approved Delegated Powers Approval Ref 1974
<i>Lesley Tattersall,</i> Legal Services	Legal Services	14/06/21	14/06/21	Approved Delegated Powers Approval Ref 1974
<i>Name,</i> Human Resources	Assistant Chief Executive's Office	Click here to enter a date.	Click here to enter a date.	
<i>Name,</i> Procurement	Finance and Customer Services	Click here to enter a date.	Click here to enter a date.	
<i>Name,</i> Equalities	Assistant Chief Executive's Office	Click here to enter a date.	Click here to enter a date.	
<i>Other officers below</i>		Click here to enter a date.	Click here to enter a date.	

REPORT APPROVAL TRACKING			
Equalities Your report will not be authorised for submission to Cabinet by your Strategic Director if you have not undertaken and included an initial equalities screening. All equalities analysis documents should be included as appendices	Initial Screening completed and included with report	YES	08/09/2021
	Full Assessment completed and included with report	NO	Insert date agreed
Carbon Impact Assessments Carbon Impact Assessments are to be appended to the associated cabinet reports. Carbon Impact Assessments should be sent to climate@rotherham.gov.uk for feedback prior to your report being sent to your Strategic Director for approval.	Carbon Impact Assessment completed and included with report.	YES	22/09/2021
Background information MANDATORY: Insert headings for a few main public documents you have used or referenced to write this report. This is a legal requirement. For Cabinet reports, insert hyperlinks . Do not list private documents.	Policy doc ABC Govt advice DEF Cabinet report GHI		
Appendices If appendices are essential to the understanding of the report, list titles here. Equality Analysis documents should be listed as Appendix 1 for all reports. Ensure that appendices have proper titles.	Appendix 1 <i>Initial Equalities Screening Form</i> Appendix 2 <i>Location Plan</i> Appendix 3 <i>Delegated Powers Report Ref:1974</i> Appendix 4 <i>Carbon Impact Assessment Form</i> Appendix 5 <i>Asset Management Board Report</i>		
Cabinet Member Approval You should retain an email confirming the Cabinet Member approval for your records. Strategic Directors should not authorise reports unless Cabinet Members have given sign off	YES/NO (delete as appropriate)	Click here to enter a date.	
Report Authorised by Strategic Director	YES/NO (delete as appropriate)	Click here to enter a date.	
Report Authorised for publication by Chief Executive	YES/NO (delete as appropriate)	Click here to enter a date.	

Committee Name and Date of Committee Meeting

Cabinet – N/A

Report Title

Disposal of Land off Symonds Avenue, Rawmarsh, Rotherham

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

No, but it has been included on the Forward Plan

Officer Approving Submission of the Report

Jonathan Marriott, Head of Asset Management

Report Author(s)

Jeremy Nicholson, Estates Surveyor – jeremy.nicholson@rotherham.gov.uk

Ward(s) Affected

Rawmarsh West

Report Summary

The purpose of this report is to inform the Forward Plan that under Delegated Powers Report Ref 1974 it has been approved to dispose of the above-mentioned land.

Recommendations

1. That the approved disposal is submitted and reported on the Forward Plan
2. That the Assistant Director, Legal Services be instructed to complete the necessary legal documentation for the disposal of the land

List of Appendices Included

Appendix 1 Initial Equalities Screening Form
Appendix 2 Location Plan
Appendix 3 Delegated Powers Report Ref: 1974
Appendix 4 Carbon Impact Assessment Form
Appendix 5 Asset Management Board Report

Background Papers

None.

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Asset Management Board – 24/02/21

Council Approval Required

No

Exempt from the Press and Public

No

Disposal of Land off Symonds Avenue, Rawmarsh Disposal of Land off Symonds Avenue, Rawmarsh, Rotherham

1. Background

- 1.1 The land adjacent to 2 Symonds Avenue, Rawmarsh is a HRA land asset. The site is currently incidental greenspace that was previously incorporated within an earlier proposed housing development scheme to bring forward 8 new homes, approved by Cabinet on 9th July 2018.
- 1.2 In February 2019, following a procurement exercise, Extra Space Solutions began undertaking site investigations at Symonds Avenue in readiness for development but found adverse ground conditions on part of the site, comprising a former railway line and embankment and severe contamination. As a consequence, development was considered to be cost prohibitive.
- 1.3 A private developer, Eton Construction, have been in pre-application discussions with Planning for the development of five homes on adjacent land and planners have recommended the provision of an access road to the rear of the site from Symonds Avenue – the Council's land is needed to enable this.
- 1.4 Neighbourhoods have advised that they would consider disposal of the land needed to provide access to the adjacent development as long as the developer also acquired the land mentioned in 1.2 above to incorporate into their development. Eton Construction have agreed to this and a purchase price for the land has been negotiated.
- 1.5 The plan at Appendix 2 shows the land to be sold to Eton Construction cross-hatched red with the proposed access coloured grey, the land to be developed by Eton Construction edged blue and the land retained by the Council for future potential development coloured green.
- 1.6 In February 2021, the Asset Management Board approved the disposal of the land to Eton Construction for £26,000 plus payment of the Council's Legal and Surveyors fees.

2. Key Issues

- 2.1 The land has no potential for other uses due to the contamination and the steep gradient, however the remainder of the Symonds Avenue site will continue to be considered for future development in the current Housing Development Programme 2020-25. It is unlikely that this highly contaminated land will be sold on the open market for any other purpose.
- 2.2 The disposal of this land will therefore generate a receipt for the Council, ensure future maintenance of the area and enable the delivery of the private development on the adjacent site to the rear.
- 2.3 The three separate areas identified on the plan at Appendix 2 are all designated as Residential Development Land in the current Local Plan.

3. Options considered and recommended proposal

3.1 Option 1: The asset is retained by the Council.

Retaining a surplus property which does not have any identified alternative future operational requirements increases the risk faced by the Council in potential additional and unbudgeted holding, maintenance, and security costs.

This is not the recommended option.

3.2 Option 2: Disposal of the surplus asset.

The property is offered for freehold disposal to the adjacent developer as a private purchaser with a view to legal completion at the earliest opportunity although the disposal will be subject to Eton Construction obtaining satisfactory planning approval for the proposed adjacent development.

This is the option recommended and approved by Delegated Authority.

4. Consultation on proposal

4.1 All local ward members have been consulted on the proposal to dispose of this property and no objections or representations have been received.

4.2 The proposal to dispose of this property has been the subject of detailed consultation through Asset Management Board.

5. Timetable and Accountability for Implementing this Decision

5.1 Estates have advised that given the nature of the asset, a disposal to Eton Construction as a special purchaser by private treaty would be the only potential opportunity to dispose of the land, which offers no benefit to the Council to retain.

5.2 Once the report has been submitted to the Forward Plan, the Assistant Director of Legal Services will be instructed complete the necessary legal documentation based on terms already agreed with Eton Construction.

6. Financial and Procurement Advice and Implications (to be written by the relevant Head of Finance and the Head of Procurement on behalf of s151 Officer)

6.1 There are no direct procurement implications arising from the recommendations detailed in this report.

6.2 The capital receipt from the sale of this property is identified in item 1.6 above.

7. Legal Advice and Implications (to be written by Legal Officer on behalf of Assistant Director Legal Services)

7.1 Other than as already identified and detailed in this report there are no direct legal implications arising from the subject matter of this report.

8. Human Resources Advice and Implications

8.1 There are no direct HR implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no direct implications for Young People and Vulnerable Adults arising from this report.

10. Equalities and Human Rights Advice and Implications

10.1 There are no direct implications for equalities or human rights arising from this report.

11. Implications for CO₂ Emissions and Climate Change

11.1 A Carbon Impact Assessment Form is attached in Appendix 4

12. Implications for Partners

12.1 None.

13. Risks and Mitigation

13.1 If the property were to be retained without an identified use or future need then this could potentially attract anti-social behaviour in the future as it will continue to be undeveloped and unmaintained.

14. Accountable Officer(s)

Simon Moss, Assistant Director – Planning, Regeneration & Transport
Jeremy Nicholson, Estates Surveyor – Estates Team

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Named officer	Click here to enter a date.
Head of Legal Services (Monitoring Officer)	Named officer	Click here to enter a date.

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This report is published on the Council's [website](#).

