

REPORT AUDIT TRAIL				
CONSULTATION				
Name/Position	Portfolio/Ward/ Directorate	Date Sent	Date Received	Comments in para:
Councillor Denise Lelliott	Cabinet Member for (Select Cabinet Portfolio)	28/09/22	28/09/22	
<i>Paul Woodcock</i>	Assistant Chief Executive/ Strategic Director for (relevant directorate)	Click here to enter a date.	Click here to enter a date.	
<i>Richard Young,</i> Finance	Finance and Customer Services	28/09/22	03/10/22	6.2
<i>Stuart Fletcher,</i> Legal Services	Legal Services	28/09/22	03/10/22	7.1
<i>John Crutchley,</i> Human Resources	Assistant Chief Executive's Office	28/09/22	30/09/22	8.1
<i>Karen Middlebrook,</i> Procurement	Finance and Customer Services	28/09/22	03/10/22	6.1
<i>Steve Eling,</i> Equalities	Assistant Chief Executive's Office	28/09/22	28/09/22	
<i>Jonathan Marriott, Asset Management</i>	Asset Management	28/09/22	Click here to enter a date.	

<u>REPORT APPROVAL TRACKING</u>			
Equalities	Initial Screening completed and included with report	YES	28/09/2022
	Full Assessment completed and included with report	NO	Insert date agreed
Carbon Impact Assessments	Carbon Impact Assessment completed and included with report.	YES	28/09/2022
Background information	Cabinet Report: Regeneration Programme: Strategic Land Assembly Cabinet Report: Strategic Acquisitions		
Appendices	Appendix 1 Red Line Boundary Plan Appendix 2 Equalities Impact Assessment Appendix 3 Carbon Impact Assessment		
Cabinet Member Approval	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.	

Exempt Report
Delegated Officer Decision

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 03 October 2022

Report Title

Acquisition of property at Corporation Street

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

No, but it has been included on the Forward Plan

Assistant Director Approving Submission of the Report

Simon Moss, Assistant Director, Planning, Regeneration & Transport

Report Author(s)

Lorna Vertigan, Strategic Regeneration Manager

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Ward(s) Affected

Boston Castle

Report Summary

The purpose of this report is to complete the necessary transactions to acquire property at Corporation Street.

Recommendations

1. Exercise the delegation to the Assistant Director for Planning, Regeneration and Transport to complete the negotiation and acquisition by agreement of property interests at Appendix 1 in consultation with the Council's Section 151 Officer and the Cabinet Member for Jobs and the Local Economy.
2. Exercise the recommendation to Cabinet on 28th March 2022 to acquire the Freehold and Leasehold interests in the land and properties shown edged red for identification purposes only on the plan at Appendix 1.
3. Exercise the delegation to the Assistant Director of Legal Services to negotiate and complete the necessary transactions.

List of Appendices Included

Appendix 1 Red Line Boundary Plans
Appendix 2 Equalities Impact Assessment
Appendix 3 Carbon Impact Assessment

Background Papers

[Cabinet Report: Regeneration Programme: Strategic Land Assembly](#)

Consideration by any other Council Committee, Scrutiny or Advisory Panel

Name of Committee – Click here to enter a date.

Name of Committee – Click here to enter a date.

Council Approval Required

No

Exempt from the Press and Public

No

Acquisition of Various Land Holdings at Corporation Street

1. Background

- 1.1 Rotherham Council is embarking on its most significant regeneration opportunity following the securing of major public sector investment and Council capital. The impact of this programme will bring benefits across the entire Borough and the community of Rotherham.
- 1.2 The Leisure & Cultural Quarter extends across the River Don to incorporate Forge Island and Corporation Street. This site falls within an ambitious masterplan which will see a revived leisure economy for the town centre.
- 1.3 The area is currently home to a number of vacant, abandoned and derelict buildings which now have potential for redevelopment due to Town Deal, Levelling Up and Council capital funding. However, acquisition of privately owned properties is necessary to bring forward this masterplan.
- 1.4 This property, identified in Appendix 1 has been vacant for some time and occupies a strategic location adjacent to the Forge Island development on Corporation Street.

2. Key Issues

2.1 Acquisition

As required by Government guidance acquisition by negotiation, rather than the use of Compulsory Purchase powers is always preferable and the Council have agreed an offer of [REDACTED] (exclusive of VAT). A Property Cost Estimate (PCE) exercise has been undertaken by consultant surveyors Gateley Hamer on behalf of the Council. The PCE exercise estimates the potential cost of acquiring the property considering costs incurred should a CPO be necessary. The basis and justification of the Council's offer is summarised below:

Market Value	[REDACTED]
Reinvestment costs	[REDACTED]
Statutory Loss Payments	[REDACTED]
Professional Fees	[REDACTED]
TOTAL	[REDACTED]

2.2 Revenue Implications

The property identified is vacant and due to its listed status refurbishment would be the only option post acquisition. A temporary use may be possible and options for how the building should be managed in the short term will be presented to the Asset Management Board and agreed in consultation with Strategic Director and Cabinet Member.

2.4 Capital Implications

The acquisition of this land is funded through the Council's Strategic Acquisition Fund.

2.5 An options appraisal is required to determine the most appropriate future for this property.

3. Options considered and recommended proposal

3.1 The preferred option as required by Government guidance is to always acquire by agreement and negotiation is a mandatory precursor to any CPO action. This acquisition will enable the continued redevelopment of the Leisure & Cultural Quarter to come forward without the need to use CPO powers thus significantly reducing the inherent risks in terms of time and expense of exercising CPO powers.

3.4 Consideration has been given to entering into partnership arrangements with landowners rather than taking full control of the land. However as understood through the negotiation process, the landowners do not wish to bring forward schemes fitting with masterplan ambitions.

3.5 A do nothing option would see the Council unable to deliver on its ambitions plans for the regeneration of the town centre.

4. Consultation on proposal

4.1 Asset Management Board and the Strategic Regeneration Programme Board have been consulted on the proposals to acquire this land.

5. Timetable and Accountability for Implementing this Decision

5.1 Exchange of contracts took place on 30th September 2022.

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 Land and property acquisitions fall outside the scope of the Public Contracts Regulations 2015 (as amended) and as such there are no direct procurement implications arising from this report.

6.2 The project to acquire this property is funded from the Council's Strategic Acquisition Fund. The project is included in the Council's Approved Capital Programme. The revenue liabilities will be covered by the use of external revenue grant. Existing approved budgets are in place to cover the management of the properties that are added to the Council's non-operational estate.

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

7.1 As this land is important to the success of the Council's regeneration of the Leisure & Cultural Quarter of the Town Centre, the Council may if it could not acquire by private treaty, seek to use CPO powers. As this acquisition is, therefore, being made against the backdrop of a potential CPO, the Council may take into account additional costs

which it would have had to incur had the acquisition been made via the CPO process. Accordingly, it is appropriate to offer a higher amount in order to avoid a CPO as detailed in this report.

7.2 The appropriate contractual documentation will be concluded upon completion of the acquisition.

8. Human Resources Advice and Implications

8.1 There are no direct human resource implications arising from this report.

9. Implications for Children and Young People and Vulnerable Adults

9.1 There are no direct implications arising from this report

10. Equalities and Human Rights Advice and Implications

10.1 There are not considered to be any direct equality implications arising from the acquisition of this land.

11. Implications for CO2 Emissions and Climate Change

11.1 There are not considered to be any direct impacts from the acquisition of this property.

12. Implications for Partners

12.1. There are no implications anticipated from this acquisition.

13. Risks and Mitigation

13.1 Ongoing retention of the building raises risk around maintenance costs.

14. Accountable Officers

Tim O'Connell, Head of RIDO
Jonathan Marriott, Head of Assets

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