

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)	23/05/23	Click here to enter a date.	
<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>Owen Campbell, Finance</i>	Finance and Customer Services	22/05/23	23/05/23	
<i>Lesley Tattersall, Legal Services</i>	Legal Services	22/05/23	23/05/23	
<i>John Crutchley, Human Resources</i>	Assistant Chief Executive's Office	22/05/23	23/05/23	
<i>Karen Middlebrook, Procurement</i>	Finance and Customer Services	22/05/23	23/05/23	
<i>Steve Eling, Equalities</i>	Assistant Chief Executive's Office	23/05/23	Click here to enter a date.	
<i>Jonathan Marriott, Asset Management</i>	Asset Management	22/05/23	23/05/23	

<u>REPORT APPROVAL TRACKING</u>			
Equalities	Initial Screening completed and included with report	YES	23 rd May 2023
	Full Assessment completed and included with report	NO	
Carbon Impact Assessments	Carbon Impact Assessment completed and included with report.	YES	23 rd May 2023
Background information	Cabinet Report: Regeneration Programme: Strategic Land Assembly		
Appendices	Appendix 1 Red Line Boundary Plans 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.	

Public Report
Delegated Officer Decision

Committee Name and Date of Committee Meeting

Delegated Officer Decision 24th May 2023

Report Title

Acquisition of property at Effingham Street, 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

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 42 – 46 Effingham Street

Recommendations

1. That the Assistant Director for Planning, Regeneration and Transport be authorised to negotiate the acquisition by agreement of the property interests at exempt Appendix 1, in consultation with the Council's Section 151 Officer and the Cabinet Member for Jobs and the Local Economy, and the Assistant Director of Legal Services be authorised to 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 property at Effingham Street

1. Background

- 1.1 Rotherham Council is embarking on its most significant regeneration opportunity following the securing of major public sector investment. The impact of this programme will bring benefits across the entire Borough and the community of Rotherham.
- 1.2 The town centre is currently home to a number of vacant, abandoned and derelict buildings and acquisition and public sector control of privately owned properties is a route to deliver on the Town Centre Masterplan ambitions.
- 1.3 The land and property identified in Appendix 1 is required for the continued diversification and regeneration of the town centre.

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.

- 2.2 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 valuation of the property was estimated between [REDACTED] and [REDACTED].

2.3 Revenue Implications

The property is currently vacant and will be considered as a site office for the Markets and Library redevelopment short term. Long term redevelopment is anticipated as part of the continuing redevelopment of the town centre. The Feasibility Fund will be used to cover any holding costs incurred.

2.4 Capital Implications

The acquisition of this land is funded through the Council's Strategic Acquisition Fund as approved at Cabinet in April 2023. This has to date been used to purchase 2 Corporation Street and the former ID Motors site at Sheffield Road.

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. These acquisitions will enable the continued redevelopment of the town centre 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 Where appropriate, affected landowners have been consulted and are fully aware how their land is vital to the pursuance of the regeneration of Rotherham.
- 4.2 Consultation and communications on the regeneration programme have taken place over the course of the development of funding bids and the programme itself.

5. Timetable and Accountability for Implementing this Decision

- 5.1 Heads of Terms have been agreed and exchange and completion will follow in due course.

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 acquisition cost can be funded from the Strategic Acquisitions Fund which is included in the Council's Approved Capital Programme. Revenue budget has been identified to support 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 The appropriate contractual documentation will be negotiated by Legal Services in order to acquire the property in accordance with the heads of terms.

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 site raises risk around maintenance costs. A capital budget exists to demolish the property once acquired but alternative options to retain for temporary use will be explored.

14. Accountable Officers

Tim O'Connell, Head of RIDO

Jonathan Marriott, Head of Assets

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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