

Committee Name and Date of Committee Meeting

Delegated Officer Decision – 05 January 2024

Briefing Title

Dinnington Regeneration Property Acquisition – Northern Access Road

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

No, but it has been included on the Forward Plan

Strategic Director Approving Submission of the Report

Paul Woodcock, Strategic Director of Regeneration and Environment

Report Author(s)

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Ward(s) Affected

Dinnington

Report Summary

This report seeks for the Assistant Director, Planning, Regeneration & Transport to exercise the delegation: Purchase of the northern access road between Savers and Cooplunds as part of the Dinnington regeneration project.

Recommendations

1. Officers recommend exercise of delegation for Assistant Director to approve purchase of the northern access road in line with the agreement reached by consultants Gateley Hamer working on behalf of the Council.

List of Appendices Included

Appendix 1 – PCE/Valuation (Exempt)
Appendix 2 – Scheme boundary map (Exempt)
Appendix 3 – Carbon Impact Assessment
Appendix 4 – Equality Impact Assessment

Appendix 5 – Land Assembly map (Exempt)

Background Papers

[Cabinet Approval – August 2023](#)

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

Yes or No? If yes, use text below.

An exemption is sought for Appendices 1, 2 and 5. 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 commercially confidential information.

It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information as public release could jeopardise delivery of the project.

Dinnington Regeneration Property Acquisition – 56 Laughton Road

1. Background

- 1.1 Rotherham Council has secured £19.9m as a result of a bid to the second round of the Levelling Up Fund to deliver 2 regeneration projects in Wath and Dinnington.
- 1.2 To facilitate the delivery of the Dinnington regeneration project, consultants Gateley Hamer have been appointed to negotiate purchase arrangements with the landowners and long-term leaseholders on the proposed regeneration site.

2. Key Issues

- 2.1 Across the site, there are 9 plots of land owned by 7 different landowners. In order to bring forward the regeneration project by the March 2026 deadline, it is vital that agreements for purchase are made at pace for a fair value to both negotiating parties.
- 2.2 The purchase price is above the initial valuation that was included in the documents approved at Cabinet on the 7th August. That being said the minutes of the Cabinet meeting allow for flexibility in the delegation, reflective of the fluctuations that were likely to occur within the subsequent months of negotiations. The purchase price agreed is inline with the latest purchase cost estimate provided by consultants working on behalf of the Council.
- 2.3 In the case that agreement cannot be reached the Council will be required to explore the use of compulsory purchase powers to ensure the scheme can be delivered. Approval to explore the use of compulsory purchase powers was secured at Cabinet in August 2023.

3. Recommended Proposal

- 3.1 This delegated decision relates to the northern access road that runs between Savers and Cooplands. Gateley Hamer have negotiated a purchase price for the property and Heads of Terms have been agreed The property is indicated as plot 2/9 on Appendix 2.
- 3.2 The final price that has been agreed upon by both parties is [REDACTED] with each party bearing their own costs. This is in line with the valuation put forward to Cabinet in August 2023.
- 3.3 This report recommends the Assistant Director for Planning, Regeneration & Transport to exercise the delegation: Purchase of the northern access road

between Savers and Cooplands as part of the Dinnington regeneration project.

4. Consultation on proposal

4.1 Consultation on the regeneration proposals took place on during Autumn 2023 with engagement sessions which involved multiple events held locally that were attended by a range of key stakeholders and the public. Officers engaged with over 200 attendees at these events.

4.2 As part of these events, it was communicated that the regeneration project relates to privately owned land and that therefore it would be a requirement for the Council to carry out a programme of acquisitions to secure the site for redevelopment.

4.3 Engagement with landowners has been carried out prior to the bid application and subsequently throughout the development of the project.

5. Timetable and Accountability for Implementing this Decision

5.1 In order to achieve DLUHC spend deadlines and the ultimate delivery deadline of March 2026, purchase of all land included in the proposed site must be completed before Autumn 2024.

5.2 To prevent any breakdown in negotiations the implementation of this decision will be dealt with as a matter of priority.

6. Financial and Procurement Advice and Implications

6.1 The sale and acquisition of land and property falls outside the scope of the Public Contracts Regulations 2015 (as amended) and as such there are no direct procurement implications.

7. Legal Advice and Implications

7.1 Government guidelines relating to compulsory purchase indicate that it is incumbent upon acquiring authorities to try to negotiate acquisitions directly with landowners. Accordingly it is appropriate that the Council tries to acquire as much of the target site by agreement rather than through the compulsory purchase process. Early acquisition also has the benefit of de-risking and reducing the scope and costs of any future compulsory purchase.

It may be necessary for the property to be included in a future compulsory purchase, however, to ensure the neutralisation of all rights over the land.

From the contents of this report, it appears that necessary valuation obligations have been satisfied so Legal confirms that other than as mentioned above and elsewhere in this report, there are no substantive legal implications arising from the contents of this report.

8. Equalities and Human Rights Advice and Implications

- 8.1 This delegation refers specifically to the purchase of property and land and therefore there is no equalities impact.
- 8.2 Impact will be seen during the delivery of projects and in the final project outcome. The project as a whole will be the subject of a specific Equalities Impact Assessment. Please see Appendix 4

9. Implications for CO2 Emissions and Climate Change

- 9.1 This delegation refers specifically to the purchase of property and land and therefore there is no climate change impact.
- 9.2 Impact will be seen during the delivery of projects and in the final project outcome. This will be the subject of a specific Climate Impact Assessment. Please see Appendix 3.

10. Risks and Mitigation

- 10.1 Although negotiations with some of the landowners are moving forward in a timely and positive manner, other negotiations have stalled with some landowners unable to reach agreement based on the independent valuations. If these negotiations continue to be protracted, the council will need to progress with compulsory purchases. This process can be lengthy and as such there is a risk that the scheme will not be delivered by the March 2026 deadline.
- 10.2 Rotherham Council is moving forward with the process to tender a compulsory purchase lawyer to assist in bringing forward the site within the timeframe so that demolition and construction can begin in Autumn 2024.

11. Accountable Officers

Megan Hinchliff, Project Manager

Lorna Vertigan, Strategic Regeneration Manager

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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