

Public Report with Exempt Appendices  
Delegated Officer Decision

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**Committee Name and Date of Committee Meeting**

Delegated Officer Decision – 24 December 2024

**Report Title**

Dinnington Compulsory Purchase Order

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

Yes

**Strategic Director Approving Submission of the Report**

Andrew Bramidge, Strategic Director of Regeneration and Environment

**Report Author(s)**

Lorna Vertigan, Head of Regeneration

**Ward(s) Affected**

Dinnington

**Report Summary**

Cabinet has approved the implementation of the Council's Dinnington Regeneration project which will see improvements to the high street including a new market provision, 6 new retail units, refurbished units and public realm fronting Laughton Road.

To facilitate the development, it is necessary for the Council to acquire and control all land within the boundary set out in Appendix 1.

This report seeks to implement the Cabinet resolution in October 2024 to make and seek confirmation of a Compulsory Purchase Order (CPO) for the acquisition of land and property interests identified on the plan and in the schedule in Appendix 1 and 2.

**Recommendations**

The Cabinet resolution October 2024, amongst other things, delegated to the Council's Property Officer, in consultation with the Cabinet Member for Jobs and the Local Economy and the Assistant Director of Legal Services, to:

- a) Take all necessary steps to secure the making, confirmation and implementation of the CPO, including, making further amendments by way of finalising the draft Statement of Reason (Appendix 3) the publication and service of all relevant notices and the presentation of the Council's case at any future local public inquiry;

- b) Consider the outcome of the Equalities Impact Assessment and ensure appropriate steps are taken to meet the Council's Public Sector Equalities Duty.

Having consulted with the Cabinet Member for Jobs and the Local Economy and the Assistant Director of Legal Services the Council's Property Officer makes the following decision for reasons set out in this report:

- a) having considered the outcome of the Equalities Impact Assessment in accordance with the Council's obligations pursuant to the Equality Act 2015 is satisfied that the Council has taken into account and paid due regard to the aims and objectives of its public sector equality duty and has considered what actions it will take to mitigate any negative impacts on particular protected groups as set out below.
- b) In light of the decision in 1 above, and having now finalised the form and content of the Statement of Reasons, to approve the making of the CPO taking all steps necessary, to secure the confirmation of the CPO

### **List of Appendices Included**

Appendix 1: Dinnington Order Land Plan  
Appendix 2: Draft CPO Schedule (exempt)  
Appendix 3: Draft Statement of Reasons (exempt)  
Appendix 4: Statutory Notice for Implementation  
Appendix 5: Equality Impact Assessment Initial Screening  
Appendix 6: Equality Impact Full Assessment  
Appendix 7: Carbon Impact Assessment

### **Background Papers**

[Dinnington Project: Capital Regeneration Grant – report to Cabinet August 2023](#)

[Dinnington Project Update – report to Cabinet July 2024](#)

[Dinnington Compulsory Purchase Order – report to Cabinet October 2024](#)

### **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**

An exemption is sought for Appendix 2 & 3 under Paragraph 2 (Information which is likely to reveal the identity of an individual.) of Part I of Schedule 12A of the Local Government Act 1972 is requested, as this report contains the personal information of those directly affected by the CPO.

It is considered that the public interest in maintaining the exemption would outweigh the public interest in disclosing the information due to its confidential nature.

## **Dinnington Compulsory Purchase Order**

### **1. Background**

- 1.1 In Spring 2023 Rotherham Council was awarded £11,049,547 to deliver the Dinnington Principal Areas of Growth project, which will see the regeneration of the Laughton Road area.
- 1.2 In August 2023 Cabinet agreed to authorise the Assistant Director for Planning, Regeneration and Transport (Property Officer at the time) to negotiate and agree the acquisition of property interests to deliver the scheme, in consultation with the Cabinet Member for Jobs and the Local Economy and the Council's S151 Officer.

Further, Cabinet resolved to 'in principle' investigate the use of Compulsory Purchase Order powers if terms cannot be agreed, subject to a further report being submitted to Cabinet seeking a formal resolution to acquire property interests required to deliver the scheme by exercising the Council's CPO powers.

- 1.3 Further, in July 2024 Cabinet resolved to implement the scheme adding an additional £1m Council capital into the scheme delivery.
- 1.4 In October 2024 Cabinet resolved the making of the CPO, this report seeks to implement that resolution and make a CPO pursuant to section 226 (1) (a) of the Town and Country Planning Act 1990 and section 13 Local Government (Miscellaneous Provisions) Act 1976 to acquire these interests and new rights which are identified in the Appendices 1 and 2 of this report for the reasons set out in Appendix 3.

### **2. Key Issues**

- 2.1 The Dinnington scheme comprises:
- Demolition of:
    - 36-44 Laughton Road, Dinnington
    - The former indoor market building 34, Laughton Road, Dinnington
    - The structures associated with the operation of the open market, off Constable Lane, Dinnington
    - Number 32 Laughton Road, Dinnington
  - Construction of a block of 6 retail/commercial units and a secure storage unit for the market stalls at the southern end of the site and a separate commercial/community building with associated parking and servicing areas.
  - Refurbishment of 6 existing retail units 46-56 Laughton Road.
  - Construction of a new Town Square that will accommodate the open market.
  - Associated public realm improvements to improve pedestrian links between the High Street (Laughton Road) and the bus interchange and public car parks on Constable Lane.

- 2.2 The development site identified is partly within private sector ownership and while considerable progress has been made in acquiring the land required, the Council has yet to reach agreement on a number of plots, as set out in Appendix 1 & 2.

Therefore, in accordance with Government guidance and the Cabinet resolution the Council wishes to undertake the Compulsory Purchase route and make the order with submission to the Secretary of State.

- 2.3 The draft Statement of Reasons attached to this report at Appendix 4 sets out the full reasons supporting the Council's use of its CPO powers.

In particular section 6 specifically sets out the reasons and section 10, the specific justification for the use of the powers.

### **3. Options considered and recommended proposal**

- 3.1 Cabinet resolved in October 2024 to pursue the recommended option as follows:

*“Acquire the outstanding interests by CPO and develop the approved scheme.”*

This option was considered to provide the greatest degree of certainty that the scheme can be delivered by the Council.

Other options considered can be seen in detail in the October 2024 Cabinet report and are listed below:

- Option 1: Do Nothing
- Option 2: Deliver a smaller scheme based on the Council's current ownership.
- Option 3: Focus entirely on acquiring the Order Land by negotiation and redevelop it for the proposed Scheme.

### **4. Consultation on proposal**

- 4.1 There has been extensive consultation and engagement with the general public both prior to funding being allocated and during scheme development. In late 2023 and 2024 over 230 members of the public attended four in-person engagement events and from the feedback received, respondents were generally very supportive of the plans and felt it would be a benefit to the community. Other feedback included:

- Need some provision for young people
- Access to public toilets
- Need a banking hub
- Would be good to see a community facility included
- Pack away market welcome
- Great to have a pocket park for summer

- 4.2 Additionally, Rotherham Council has spoken at the Dinnington St Johns Council public meetings on numerous occasions.

- 4.3 Gateley Hamer, the Council's appointed surveyors have been in negotiation with landowners since funding was approved in August 2023 and on the Council's behalf made offers to secure the land within the site boundary. Such negotiations will continue throughout the procedural stages of the CPO.
- 4.4 Cabinet Member for Jobs and the Local Economy as well as Ward Members, Dinnington St Johns Council and MP for Rother Valley have been made aware of the CPO action and are supportive.

## **5. Timetable and Accountability for Implementing this Decision**

- 5.1 Planning permission for the scheme was achieved in September 2024.
- 5.2 The Council will continue to endeavour to reach agreement with landowners on the acquisition of the outstanding interests required for the Scheme
- 5.3 Construction of the scheme is dependent on the acquisition of the remaining land.
- 5.4 The funding deadline for the grant is currently March 2026, however the Council has been invited to profile spend up to March 2028 in the latest return to Government.

## **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 costs associated with this proposed CPO, including fees and the cost of acquisitions, will be funded from the approved capital budget for the scheme. The Council has received £11,049,547 grant funding from the Government's Levelling Up Programme. In addition, £1m of Council capital funding, through the Towns and Villages Fund, has been approved.

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

- 7.1 The contents of this report and the recommendations are consistent with the previous Cabinet report and in compliance with statutory legislation and the Council's constitution and standing orders.
- 7.2 Legal advice has been given on all elements of the acquisitions of the properties within the site boundary to date and on the drafting of the compulsory purchase order and ancillary documentation both by external solicitors and Legal Services. Accordingly, it is considered that there are no substantive legal implications arising from this report other than those set out in the report.

## **8. Human Resources Advice and Implications**

8.1 There are no HR implications arising from this report.

## **9. Implications for Children and Young People and Vulnerable Adults**

9.1 A full equalities impact assessment has been completed and a summary of this is included at Appendix 6. The EQIA undertaken for the CPO identifies 1,206 people between the ages of 16 and 24 and 2,298 people under the age of 15, a total of 28% of the total population of Dinnington.

9.2 The scheme and related CPO is considered to have an overall positive impact for young people by creating new and safer spaces with improved accessibility, surveillance and feelings of safety. Providing safer spaces for young people to socialise in what is currently an unsafe and intimidating space.

Additionally, the new scheme offers the potential for new businesses to provide opportunities for more social interaction and cohesion.

## **10. Equalities and Human Rights Advice and Implications**

10.1 For the purposes of the CPO a specific equalities impact assessment has been completed, in line with the Council's Public Sector Equalities Duty. A summary of this is provided in the Council's template at Appendix 6.

10.2 In summary, in communicating the CPO, the scheme and its impacts the Council has made every endeavour to ensure those directly affected are able to contact the Council and its representatives with ease and that adequate information about the scheme and its impact is made available in user friendly formats and accessibly, by offering translation services, numerous consultation events as well as 121 sessions providing named officer contact details and providing information in written and spoken form in person and via other means eg website, letter.

10.3 The CPO and the resultant scheme is thought to, overall, offer benefit to the wider community and on an individual basis to those with protected characteristics. The scheme itself creates a safer and more accessible environment with the potential to attract new operators capable of delivering more services to improve social cohesion.

10.4 Regarding existing operators each has the opportunity to relocate nearby or within the scheme without business interruption. Investors and operators are offered compensation above statutory requirements to ensure they are adequately compensated for any loss of investment.

## **11. Implications for CO2 Emissions and Climate Change**

11.1 A Carbon Impact Assessment has been undertaken in relation to the resultant scheme and is attached at Appendix 7.

- 11.2 In summary the impact of this project on emissions is likely to be high due to the various demolitions that are required, and the construction that will take place to complete the redevelopment. This process brings with it an increase in transport and energy emissions, as well as increased waste.
- 11.3 The buildings that are currently in-situ are highly inefficient and will be replaced by energy efficient buildings that are built for the future. The ground will be greened with a new landscaped town square that will provide social and environmental benefits, as well as health benefits by improving the general aesthetic of the town and creating a welcoming and safe town centre.
- 11.4 Impacts have been mitigated as much as possible through the design, and further mitigations will be put in place for the construction phase. The scheme encourages higher usage of public transport and active travel; it is hoped that by improving Dinnington town centre, the number of car journeys further afield will be reduced.

## 12. Implications for Partners

- 12.1 Dinnington St John's Council has worked closely with Rotherham Council since the initial development of bid proposals in 2022. Both Council's continue to work closely on the implementation of the scheme.

## 13. Risks and Mitigation

- 13.1 As with every CPO there is a risk that the case is not supported by Secretary of State. The Council has made every endeavour to ensure the Statement of Reasons is accurate and supports the requirement and benefit of undertaking this course of action to implement this scheme.
- 13.2 The funding deadline of March 2026 remains a risk to delivery. The Council has been invited to profile spend to March 2028 in the December 2024 return to Cabinet. All endeavours to progress the scheme at pace are being taken, including this CPO which will expediate the acquisition of property where private sector owners are unwilling to sell. In addition to appointment of a contractor and continued design and where appropriate works on site.

Dialogue with MHCLG colleagues and where required Ministers will continue around the potential March 2028 deadline.

## 14. Accountable Officers

Kevin Fisher, Assistant Director Property and Facilities Management  
Simon Moss, Assistant Director Planning, Regeneration & Transport

Approvals obtained on behalf of Statutory Officers: -

	Named Officer	Date
Chief Executive	Sharon Kemp OBE	<a href="#">Click here to enter a date.</a>

