

Public Report  
Delegated Officer Decision

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**Committee Name and Date of Committee Meeting**  
Delegated Officer Decision – 31 January 2025

**Report Title**  
Disposal of Land Adjacent to 61 Keeton Hall Road, Kiveton Park

**Is this a Key Decision and has it been included on the Forward Plan?**  
No

**Strategic Director Approving Submission of the Report**  
Judith Badger, Strategic Director of Finance and Customer Services

**Report Author(s)**  
Jeremy Nicholson  
jeremy.nicholson@rotherham.gov.uk

**Ward(s) Affected**  
Wales

**Report Summary**

The purpose of this report is to seek approval for the disposal of a plot of land that the current owner/occupier of 61 Keeton Hall Road, Kiveton Park has been using as part of their driveway and garden area.

**Recommendations**

That the Assistant Director for Property & Facilities Services approves the disposal by agreement of the land at 61 Keeton Hall Road, Kiveton Park in consultation with the Council's Section 151 Officer and the Cabinet Member for Transport, Jobs and the Local Economy.

**List of Appendices Included**

- Appendix 1 Initial Equality Analysis
- Appendix 2 Location Plan
- Appendix 3 Neighbourhoods Proforma Approval
- Appendix 4 Carbon Impact Assessment

**Background Papers**

None

**Consideration by any other Council Committee, Scrutiny or Advisory Panel**

N/A

**Council Approval Required**

No

**Exempt from the Press and Public**

No

## **Disposal of Land Adjacent to 61 Keeton Hall Road, Kiveton Park**

### **1. Background**

- 1.1 The Council has been approached by the owner of 61 Keeton Hall Road, Kiveton Park who wishes to purchase an area of land adjacent to their residential property, as shown edged red at Appendix 2. The land is part of the enquirer's existing driveway and rear garden area but was not included as part of the curtilage when the owner acquired the property from the Council under the Right To Buy Scheme in 1984.
- 1.2 Under the Council's Land Adjacent Policy comments have been sought from legal services and the planning authority and there are no objections from either for the land's continued use as off-road parking and garden area. The enquirer will be responsible for obtaining satisfactory planning approval, if necessary, before legal services complete the disposal.
- 1.3 The land has been declared surplus to requirements by the Assistant Director of Housing. Heads of Terms have been agreed based on the adjacent landowner purchasing the plot of land for £2,000 and also paying the Council's surveyor's fees of £600 and legal fees of £400.
- 1.4 The Neighbourhoods Proforma Approval as attached at Appendix 3 provides the necessary Assistant Director approval for the disposal along with details of Ward Member consultation.

### **2. Key Issues**

- 2.1 The land has no other potential use apart from its continued use as a driveway and garden area and due to its location would not serve any relevant purpose for any other nearby resident.
- 2.2 The disposal of this land will generate a small capital receipt for the Council and ensure that the Council will not be responsible for any future maintenance of the site.

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

- 3.1 **Option 1** – The asset is retained by the Council.

Retaining a surplus asset which does not have any identified alternative future operational requirements increases the risk of any 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 asset is offered for freehold disposal to the adjacent property owner as an

extension to their existing curtilage that provides them with off road parking and garden facility.

This is the recommended option and has Assistant Director approval.

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

4.1 Local Ward Members have been consulted on the proposal and no objections or representations have been received.

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

5.1 Once the report has been submitted and approved, legal services will be instructed to negotiate and complete the necessary legal documentation in respect of the disposal to the adjacent property owners.

#### **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 asset is identified in item 1.4 above.

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

7.1 The report makes it clear that the proposed disposal is within the appropriate delegations for such sales and that the Council will achieve best consideration.

#### **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 None.

### 14. Accountable Officers

Jeremy Nicholson, Estate Surveyor, Property Services

Tim Hartley, Strategic Asset Manager, Property & Facilities Services

Approvals obtained on behalf of Statutory Officers: -

	<b>Named Officer</b>	<b>Date</b>
Chief Executive	Sharon Kemp	Click here to enter a date.
Strategic Director of Finance & Customer Services (S.151 Officer)	Judith Badger	Click here to enter a date.
Head of Legal Services (Monitoring Officer)	Phil Horsfield	Click here to enter a date.

*Report Author:* Jeremy Nicholson

jeremy.nicholson@rotherham.gov.uk

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