

STATEMENT OF CASE

Relating to:

THE ROTHERHAM METROPOLITAN
BOROUGH COUNCIL
(DINNINGTON MARKET PLACE)
COMPULSORY PURCHASE ORDER 2025

Rotherham MBC
Riverside House,
Main Street,
Rotherham

April 2025

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1. INTRODUCTION

- 1.1. This document is the Statement of Case of Rotherham Metropolitan Borough Council (referred to herein as “**Acquiring Authority**” and “**the Council**”) for the determination by the Secretary of State or an Inspector acting on her behalf of the Rotherham Metropolitan Borough Council (Dinnington Market Place) Compulsory Purchase Order 2025 (“**the Order**”). In this Statement of Case, the land included in the Order is referred to as “**the Order Land**”.
- 1.2. This Statement of Case has been prepared to comply with the Compulsory Purchase (Inquiries Procedure) Rules 2007. It is based on the Council’s Statement of Reasons in accordance with paragraph 37.1 of the Guidance on the Compulsory Purchase Process by the Ministry of Housing, Communities and Local Government (January 2025) (“**the Guidance**”).
- 1.3. The Acquiring Authority has made the Order pursuant to section 226(1)(a) of the Town and Country Planning Act 1990 and section 13 Local Government (Miscellaneous Provisions) Act 1976.
- 1.4. The purpose of the Order is to facilitate the demolition or refurbishment of disused, derelict aging and declining town centre buildings to facilitate a town centre redevelopment which comprises modern commercial space, landscaped town square including a demountable market offer, with associated storage unit, car parking, and servicing capable of meeting the demands of a 21st Century local retail and town centre environment (“**the Scheme**”).
- 1.5. The Council considers that the Scheme will contribute significantly to the economic, social and environmental well-being of the area by delivering important public benefits through a well-maintained, high quality, accessible scheme more suited to a modern high street, as referred to in the following sections of this Statement of Case.
- 1.6. The Scheme is proposed to be implemented by means of the redevelopment proposals in accordance with the full planning permission, reference RB20240992 (the “**Planning Permission**”).
- 1.7. If confirmed by the Secretary of State for Housing, Communities and Local Government or an Inspector acting on her behalf, the Order will enable the Acquiring Authority to acquire compulsorily the Order Land required to deliver the Scheme.
- 1.8. On 7 August 2023, the Council’s Cabinet approved in summary, the following:
 - 1.8.1. the allocation of £11,049,547 of central government grant funding towards the delivery of the Scheme;
 - 1.8.2. authority for officers to commission the preparation of Scheme designs;
 - 1.8.3. authority for officers to negotiate and agree the acquisition of property interests for the purposes of delivering the Scheme; and

- 1.8.4. approval in principle, to the use of compulsory purchase powers in the event that it was not possible to acquire by agreement the land needed for the Scheme within a reasonable period.
- 1.9. The Council's Cabinet on 7 July 2024 approved an additional sum of £1m towards the overall funding of the Scheme, plus an additional £200,000 in April 2025 (in addition to the central government grant of £11,049,547), the total Scheme (land acquisition, compensation and construction cost) being assessed at £12,249,547.
- 1.10. In October 2024 having been unable to secure all land and property interests to deliver the Scheme by agreement, the Council Cabinet resolved to make and then seek confirmation of the Order. The Order was made on 7th January 2025.
- The Council recognises that a compulsory purchase order may only be made if there is a compelling case in the public interest to acquire land (see – paragraph 12.3 of the Guidance). The Council considers that a compelling case in the public interest exists for making the Order, as described in the following sections of this Statement of Case set out below.

2. THE NEED FOR REGENERATION

- 2.1. The Scheme comprises land between Laughton Road and Constable Lane. The enclosing boundary includes 32A Laughton Road, the former indoor market (34 Laughton Road), 36 – 56 Laughton Road, the outdoor market land, the Dinnington Colliery Band building and associated land, and two passageways one at the northern end and the other at the southern end of the redevelopment area. The Dinnington bus interchange owned and operated by the South Yorkshire Combined Mayoral Authority and the Dinnington Snooker Club sit adjacent to the Scheme land. The proposed Scheme land measures approximately 5,500sqm and is shown edged red on the plan at **Appendix 1**.
- 2.2. The existing properties comprised within the Scheme land include: a burnt-out former retail building at 32A Laughton Road, a disused market hall at 34 Laughton Road, an off-retail pitch and dated outdoor market site, and a shopping parade at 36 to 56 Laughton Road that separates the high street from the market square and bus interchange. The site is in various private sector ownerships, is aging and dated and form a layout which conflicts with and undermines the effective functioning of Dinnington town centre as a commercial centre. The diverse population of business operators have not been given the opportunity to grow their businesses and the town does not have the high street it deserves; as detailed:
 - 2.2.1. the outdoor market comprises permanently affixed, basic low-height, steel pole framed, corrugated metal roofed market stalls on a concrete hardstanding. The layout and design of these stalls are regularly subject to anti-social behaviour, being situated on back land behind the shopping parade fronting Laughton Road. The market trades infrequently on 1 day per week for 5.5 hours. Both the market area and the immediately surrounding area are poorly maintained, have been subject to numerous fires and is an escape route for those committing crimes in the neighbouring area including the shops. The surfacing is in extremely poor condition and presents a danger to pedestrians, see photo pack at **Appendix 2**;
 - 2.2.2. ownership of the back land is fragmented with little to no maintenance undertaken by the owners.
 - 2.2.3. the burnt-out building (32A Laughton Road) has been derelict since an arson attack in April 2019 which caused significant damage to

the building. No effort appears to have been made by the private sector owner to maintain nor bring forward reuse of the property. In its current condition it presents a potential danger to the public and detracts from the remainder of the high street (Laughton Road) and is an eyesore;

- 2.2.4. the indoor market has been unused since closing during the Covid-19 lockdown. It is in relatively poor condition and provides further evidence of the degradation of this part of the high street; and
- 2.2.5. the shopping parade (36 – 56 Laughton Road) is a 1970s parade of terraced, mostly single storey, and part two storey lock up retail units fronting Laughton Road, the principal Dinnington high street. It forms a physical barrier between the high street and the bus interchange, the principal town centre car parks; and the open market. Having been in multiple private ownerships it has been allowed to deteriorate over a number of years, leaving the tenants with significant water ingress and electrical issues forcing them to close regularly.
- 2.2.6. The layout, interaction between buildings, open space, route finding coupled with multiple private sector ownerships, lack of investment and conflict over maintenance responsibilities has resulted in the need for a whole scale place making, regenerative solution delivered by the public sector.

Images of the existing properties within the scheme land can be found at **Appendix 2.**

- 2.3. The current layout and condition of the Scheme land as outlined above has been identified as a key factor in the poor public perceptions of the area, leading to reduced trips to the town centre particularly in the evening. There is a clear and immediate need to intervene by the public sector.
- 2.4. The multiple passageways and thoroughfares that cross the site from Laughton Road to Constable Lane are narrow, secluded and in a poor state of repair and therefore unsafe for pedestrian users particularly after dark. The passageways are subject to uncontrolled vehicular access. It is notable that there are no adopted thoroughfares or roadways within the redevelopment area that are maintained by Rotherham Council. This is an unsatisfactory situation given that the site is situated between the bus interchange and Laughton Road, the

principal Dinnington High Street. A wholesale solution is needed to create safe places and spaces.

- 2.5. Land adjacent to the outdoor market and colliery band building is frequently utilised for informal parking despite free car parks being located immediately adjacent to the site.
- 2.6. The Scheme, amongst other things, aims to tackle inequality through direct intervention that will support local growth in the civic, commercial, and cultural sectors. The safeguarding and promotion of these sectors will support a variety of employment opportunities for the local community, and drive business confidence. Unlike the existing buildings, the new and refurbished retail units and areas of new public realm have been designed to current Building Regulation and will be fully accessible. Through the creation of open spaces which promote passive surveillance and create a safe and welcoming environment the new town square aims to alleviate the regular instances of anti-social behaviour that takes place on the outdoor market site on secluded back land at the rear of the parade of shops on Laughton Road.
- 2.7. Bringing the land into public sector ownership will lead to the removal of the health and safety risks which currently exist in the poor security, maintenance and layout, by reducing instances of antisocial behaviour and removing derelict buildings from the area and bringing common areas into Council control and management.
- 2.8. In recent years, there has been large-scale growth in housing in the Dinnington area which has led to an increased population. Dinnington town centre should be capable of serving new and existing residential communities, however, with the Scheme land, in its current layout being an attractant for anti-social behaviour, it is a hinderance to an effective and sustainable town centre that boosts economic growth in the area.
- 2.9. The Scheme has the benefit of financial support from the Ministry of Housing Communities and Local Government and Rotherham Council and was developed in conjunction with Dinnington residents as outlined in Section 13 and;
 - 2.9.1. Dinnington Ward Members identify the need to “support the regeneration of Dinnington High Street and market” identified as a priority in their Ward Plan

- 2.9.2. Dinnington St Johns Town Council support positive intervention in the high street as 'Community Action Number 4' in the Neighbourhood Plan "The community supports proposals that maintain and enhance the attractiveness, vitality and viability of Dinnington Town Centre as the primary local location for retail, leisure, community and other uses appropriate to a town centre"
- 2.9.3. The MP for Rother Valley supported the proposed Scheme from a variety of options presented. Jake Richards, Member of Parliament for the Rother Valley constituency, strongly supports the Scheme.
- 2.10. Significant public consultation took place in the development of the Council's successful Principal Areas of Growth bid to the Department for Levelling up Homes and Communities (now known as Ministry for Housing Communities and Local Government). The bid focused on a project to bring about significant improvements to Dinnington High Street and market with the aim of revitalising the area, boosting local businesses and improving community facilities. The bid secured £11,049,547 funding for the Scheme. The bid followed a consultation exercise with local residents, shopkeepers/commercial occupiers and users of Dinnington High Street. This consultation exercise helped shape the development proposals for the area, with follow up consultation events taking place in October 2023 and throughout 2024 to further inform and develop the proposal culminating in the Scheme.
- 2.11. Feedback from the consultation exercise emphasised the strong local desire for change as the current centre was reported to feel insecure, derelict and in part unsightly. There was a particular frustration at the unused and derelict buildings. There was a strong desire to see Dinnington High Street thrive.
- 2.12. Further details of the Council's approach to public consultation can be found in Section 13 of this Statement of Case. Further detail of the Council's approach to engagement with business owners and occupiers can be found in Section 15 of this Statement of Case.

3. LOCATION AND DESCRIPTION OF THE ORDER LAND

- 3.1. Dinnington is identified in Rotherham's Local Plan as one of the Borough's Principal Settlements for Growth, with a population of over 10,000 people. The town is situated in the South East of the Borough, approximately 15 minutes from Rotherham and Worksop town centres. The town's population is growing and the high street provides a local commercial and leisure centre for the town. The land proposed for acquisition and redevelopment sits at the heart of this provision.
- 3.2. The Scheme comprises land between Laughton Road and Constable Lane. The enclosing regeneration boundary includes 32A Laughton Road, the indoor market (34 Laughton Road), 36 – 56 Laughton Road, the outdoor market, the colliery band building and associated land, and two passageways at either end of the redevelopment area. The Order land is shown edged red and shaded in pink and land over which rights only are to be acquired is shown shaded in blue on the plan at **Appendix 1** to this Statement of Case.
- 3.3. The Order Land comprises the interests in land that are to be acquired and are necessary to deliver the Scheme.
- 3.4. Since Summer 2023 the Council has sought to acquire by negotiation all property interests. Having reached agreement on the majority of the properties and having supported owners and occupiers through this transitional period the Council now wishes to exercise powers to secure ownership of outstanding interests and bring about the redevelopment scheme.
- 3.5. The outstanding interests the Council is actively seeking to acquire are summarised below and further specific detail around the process of negotiating the acquisition of land by agreement is set out in Section 14.

	Property description	CPO Map (Appendix 1) Plot reference
1	Freehold of land known as Dinnington Market (outdoor market)	5
2	Head Leasehold and Under Leasehold interests in 50 Laughton Road (retail premises)	9

3.	Head Leasehold and Under Leasehold interest in 40 Laughton Road (retail premises) and 5 square metres of adjacent land to the rear	14 and 15
4.	Freehold of land to the south of Dinnington bus interchange (Dinnington Colliery Band building and car park)	17
5.	Freehold of Dinnington Indoor Market fronting onto Laughton Road (vacant retail premises)	19
6	Freehold of land comprising a derelict fire damaged shop premises and forecourt at 32A Laughton Road (retail premises)	21

- 3.6. The remaining Order Land within the Scheme is in the Council's freehold ownership but is affected by rights or other interests of a historical nature that either need to be overridden or acquired compulsorily in order for the Scheme to proceed. The nature and full extent of those interests is uncertain, and therefore not capable of being acquired by negotiation. The purpose of including these interests in the Order Land is to cleanse the title to allow the Scheme to proceed unhindered.
- 3.7. In addition to the land to be acquired, there are three parcels of land over which rights only are required for delivery of the Scheme. These are:
- 3.7.1. Land adjacent to plot 5 (Dinnington Outdoor market) and shown as plot 22 on the Order Map;
 - 3.7.2. land adjacent to plot 17 (land to the south of Dinnington Bus Interchange) and shown as plot 23 on the Order Map; and
 - 3.7.3. land adjacent to plot 19 (Dinnington Indoor Market) and shown as plot 24 on the Order Map.
- 3.8. For the purpose of all three parcels referred to above, temporary rights are required for the purposes of carrying out demolition and any other works associated with the works to deliver the Scheme.

4. PURPOSE OF THE ORDER AND THE SCHEME

- 4.1. Taken as a whole the site is currently in fragmented ownership, the layout, condition and style of the property is not considered conducive to supporting a modern town centre, rather it is a negative factor and source of anti-social behaviour which requires wholesale public intervention, ownership and place-making solution to produce a sustainable town centre. The funded Scheme will deliver a mixed development together with new public realm and associated access, servicing and landscaping that will achieve economic, social, and environmental well-being benefits for the Dinnington area.
- 4.2. Plot numbers are shown on the order map at **Appendix 1**.
- 4.3. The Scheme involves demolishing the burnt-out building (Plot 21), the disused former indoor market (Plot 19), the degraded and underused outdoor market site (Plot 5), the colliery band building which has no windows, power or toilets (part of Plot 17), and the southern half of the shopping parade (36A – 44 Laughton Road comprising Plots 18, 16, 15,14,13, 12 and parts of Plot 6).
- 4.4. In recognition of the degraded nature and unsuitable layout, these structures will be replaced with reorientated new commercial units providing natural surveillance over public spaces and routes. To tackle the informal parking and lack of formalised refuse areas which have led to anti-social behaviour and poor environment, the scheme will create dedicated 'back of house' areas for deliveries, waste management and trader parking, all of which will be securely gated to minimise anti-social behaviour.
- 4.5. The remaining northern half of the shopping parade (46 – 56 Laughton Road comprising Plots 11,10, 9, 8, 7, 6, 4, 3 and the remaining part of 6) will be refurbished to complement the new build elements of the Scheme. The design of the new and refurbished units will be visually attractive and more suitable to a modern high street, creating fit for purpose property with a longer lifetime. The design proposed is respectful to the existing townscape and architecture of the high street.
- 4.6. In replacement of the current outdoor market area, which is currently located at the rear of the site and blocked from the high street by the shopping parade, an open and accessible and fully landscaped public square will be created. The inclusion of demountable market stalls that can be dismantled and moved to a secure storage area at the end of the trading day will ensure the public space is capable of being more than a market space. Reorientation and new public

space will create enhanced pedestrian routes with natural surveillance, providing a through route between Laughton Road, the bus interchange, and the well-used town centre car parks.

- 4.7. Only wholesale redevelopment will facilitate the scale of intervention described here.
- 4.8. The Council's sustainable approach to improving the area will be centred on repurposing underused brownfield land and buildings, some of which are derelict, alongside investment in public realm to increase footfall to sustainable levels and restore a sense of pride of place.
- 4.9. The Council believes that this major capital investment in high quality place making and investment in local amenities will increase confidence in the area and provide an attractive offer to local people that incentivises visits to the town centre and draws in local trade.
- 4.10. Due to the nature of the site layout, its condition and aging property this level of intervention can only be brought about through wholesale acquisition to bring the scheme land into the Council's ownership. This also ensures an ongoing quality and consistency of maintenance and management which has been absent while the land has been in fragmented private sector ownerships.
- 4.11. Images of the proposed scheme can be found at **Appendix 3**. Images of the existing property and land can be found at **Appendix 2**.
- 4.12. In 2022, the Council submitted a bid for Levelling Up Fund monies totalling £19,990,111 to address market failures within the commercial centres of Wath-upon-Deane and Dinnington. In the March 2023 budget, full funding for the Council's bid was announced as a capital regeneration grant with £11,049,547 allocated to Dinnington. The Council has since committed a further £1.2m to the scheme.
- 4.13. The aims of the bid, insofar as it related to Dinnington, was to tackle the declining physical infrastructure blighting the area and create a sustainable, quality town centre. The funding was allocated to facilitate strategic site assembly, demolition of burnt out and problematic buildings, and development of a modern commercial space set around a new town square. The Council believes that using this investment to deliver the Scheme, will drive revitalisation of the high street through better quality, well-maintained, holistically managed estate and create economic, social, and environmental benefits.

- 4.14. The layout and condition of the area has been identified as a key factor in the poor public perception of the area and reduced trips to the town centre particularly in the evenings. The main issues identified at the time that the bid was put together were:
- 4.14.1. burnt out, disused, and problem buildings;
 - 4.14.2. rising long term vacancies on the high street and declining footfall;
 - 4.14.3. an underperforming market not meeting current demands;
 - 4.14.4. anti-social behaviour and a lack of safety due to the secluded nature of the fixed market stalls behind the Laughton Road shopping parade; and
 - 4.14.5. a lack of clear, safe and well-maintained pedestrian routes between Laughton Road and the bus interchange and car parks on Constable Lane.
- 4.15. The proposed Scheme, as set out below, considers the principles of good place making to act as a catalyst in helping create a vibrant town centre which in turn will support the economic growth of the town and wider borough. This will be achieved by:
- 4.15.1. providing a new focal point in the town centre for retail and leisure, as well as providing space for community activities;
 - 4.15.2. removing the current blighted elements which have been the location of anti-social behaviour, and instead transforming the area into a welcoming and safe space;
 - 4.15.3. opening up the high street to the bus interchange, to create a more welcoming environment;
 - 4.15.4. providing a new temporary 'pop-up' type market offer which will generate a wider and more attractive retail offer;
 - 4.15.5. providing new green space to create a healthy and appealing town centre;
 - 4.15.6. The creation of an environment that incentivises town centre shopping, attracting the growing residential communities.
- 4.16. Commercial units fronting high-quality public realm within a holistically managed scheme, are proposed to create a destination which will improve the local

economy and the lived experience of residents and visitors to the area. These changes will provide more reasons for people to visit and stay longer and act as a catalyst for local economic growth. Key features of the proposed Scheme, as shown at Appendix 3, include:

- 4.16.1. a high-quality landscaped town square providing a space for the demountable market offer and improved public realm to encourage dwell time;
 - 4.16.2. new and refurbished commercial units fronting the town square and high street;
 - 4.16.3. re-orienting commercial units to open up public space and create improved pedestrian routes between key zones in the town centre to increase attractiveness and safety;
 - 4.16.4. a purpose-built market storage area inclusive of WC and refreshment area for market traders;
 - 4.16.5. enclosed parking and delivery areas for commercial units to improve public safety.
- 4.17. The Scheme seeks to achieve the following objectives:
- 4.17.1. deliver a town centre regeneration scheme that is truly transformational for the town centre. The Scheme has the potential to improve land values and lay important foundations for future commercially driven proposals to come forward, acting as a catalyst for the remainder of the high street;
 - 4.17.2. establish an improved market offer delivering markets on multiple days of the week to increase footfall and dwell time in the town centre to the wider benefit of existing and future town centre retail;
 - 4.17.3. remove dangerous and disused buildings that are currently blighting the high street and restricting growth;
 - 4.17.4. provide high quality public realm and a town square that will be used for the market and community events going forward;
 - 4.17.5. create one clear through route across the proposed site between Laughton Road and the bus interchange to improve permeability and public safety and reduce crime and fear of crime;

- 4.17.6. provide an attractive town centre that draws in residents and promotes local spend over trips to retail locations further afield.
- 4.18. To achieve this level of change and due to the current layout and condition of the site the scheme cannot be delivered with piecemeal interventions meaning wholesale acquisition of all interests is required.

5. EXTENT OF THE SCHEME

- 5.1. Section 6A (1) of the Land Compensation Act 1961 provides that “The no-scheme principle is to be applied when assessing the value of land in order to work out how much compensation should be paid by the acquiring authority for the compulsory acquisition of the land (see rule 2A in section 5)”.
- 5.2. For the purposes of section 6A, the “scheme” means the scheme of development underlying the acquisition.
- 5.3. Section 6 explains that the underlying scheme is to be the scheme provided for by the Order unless it is shown that the underlying scheme is a scheme larger than, but incorporating, the scheme provided for by that instrument.
- 5.4. The Order authorises the compulsory acquisition of land for the purposes of Order.
- 5.5. The Council considers that the redline of the Planning Permission reflects the extent of the Scheme to be disregarded for the purposes of assessing compensation. A copy of a plan showing the extent of the Scheme is appended to this Statement of Case as **Appendix 1**.

6. ENABLING POWERS

- 6.1. The Council has the power under Section 226(1)(a) of the Town and Country Planning Act 1990 (“the **Act**”) to make a compulsory purchase order to acquire land in its area if it thinks that the acquisition of the land will facilitate the carrying out of development, redevelopment, or improvement (including regeneration) on or in relation to the land.
- 6.2. Section 226(1A) of the Act provides that the Council may not exercise this power unless it thinks that such development, re-development, or improvement is likely to contribute to the promotion or improvement (including regeneration) of the economic, social, or environmental well-being of its area.
- 6.3. The Council also has powers to acquire rights only over land pursuant to section 13 Local Government (Miscellaneous Provisions) Act 1976
- 6.4. The Council has had regard to and followed the Guidance in relation to the Order. Paragraph 1.2 of the Guidance provides that

“Compulsory purchase powers are an important tool to use as a means of assembling the land needed to help deliver social, environmental, and economic change. Used properly, they can contribute towards effective and efficient urban and rural regeneration, essential infrastructure, the revitalisation of communities, and the promotion of business – leading to improvements in quality of life”
- 6.5. Paragraph 12.3 of the Guidance provides that,

“a compulsory purchase order should only be made where there is a compelling case in the public interest”.
- 6.6. The Guidance provides general guidance on the use of compulsory purchase powers by acquiring authorities whilst Section 1 of Tier 2 provides specific guidance for local authorities on the use of their powers under section 226 of the Act. Paragraph 98.1 of the Guidance provides that the power is,

“intended to provide a positive tool to help local authorities with planning powers to assemble land where this is necessary to implement the proposals in their development plan or where strong planning justifications for the use of the powers exist”.
- 6.7. The promotion of the Order is in accordance with the Guidance.

7. JUSTIFICATION FOR THE USE OF ORDER MAKING POWERS

- 7.1. The Guidance requires the Council to demonstrate that there is a compelling case in the public interest to acquire the Order Land.
- 7.2. The key matters demonstrating a compelling case in the public interest for the Order (having regard to the Guidance) are set out below.
- 7.3. Paragraph 109 of the Guidance – What factors will the confirming authority take into account in deciding whether to confirm a compulsory purchase order under section 226(1)(a)?

Any decision about whether to confirm an order made under section 226(1)(a) will be made on its own merits but the factors which the Minister can be expected to consider include:

- whether the purpose for which the land is being acquired fits in with the development plan for the area (including the adopted local plan for the area or, where no such up-to-date local plan exists, with the draft local plan) and the National Planning Policy Framework.
- the extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area.
- whether the purpose for which the local authority is proposing to acquire the land could be achieved by any other means. This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse (see below). It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired.
- The potential financial viability of the scheme for which the land is being acquired. A general indication of funding intentions, and of any commitment from third parties, will usually suffice to reassure the confirming authority that there is a reasonable prospect that the scheme will proceed. The greater the uncertainty about the financial viability of the scheme, however, the more compelling the other grounds for undertaking the compulsory purchase will need to be. The timing of any available funding may also be important. For example, a strict time limit on the availability of the necessary funding may be an argument put forward by the local authority to justify proceeding with the order before finalising the details of the replacement scheme and/or the statutory planning position.

7.4. These factors are considered in the next sections of this Statement of Case.

8. PLANNING

“Whether the purpose for which the land is being acquired fits in with the adopted development plan for the area and the National Planning Policy Framework”

- 8.1. The Order will enable the Scheme to be fully realised in accordance with the Planning Permission.
- 8.2. The Scheme was granted planning permission on 13th September 2024. The Scheme was granted permission on the basis that it is in accordance with the development plan and other material considerations.
- 8.3. The Council is therefore satisfied that the Scheme as a whole is in accordance with the strategic objectives of the adopted planning framework.
- 8.4. The Planning Permission comprises the following:
 - 8.4.1. full planning permission for the demolition of various buildings on site which include the existing indoor and outdoor markets, the burnt-out building at 32A Laughton Road, the colliery band building, and 6no. retail units (36A – 44 Laughton Road).
 - 8.4.2. full planning permission for the construction of 6 no. new commercial units (5 allocated for retail, and 1 allocated as a café / restaurant), a landmark commercial / community building, a new landscaped town square to facilitate markets and community events, public realm, and gated back of house areas providing delivery space and formalized car parking for new units.
- 8.5. The officers' report (that supported the grant of planning permission) concluded the following in relation to the proposed development that underpins the Scheme:

“...it is considered that the development is acceptable in principle in the town centre. The public realm improvements, the alterations to the market and the new retail units, will raise the profile and improve the physical quality vitality and viability of Dinnington Town Centre. The proposals are in a sustainable location, do not impact on amenity of neighbouring properties and subject to relevant conditions are acceptable.

Therefore, it is considered that the proposed development would be in compliance with the requirements and provisions set out within national and local planning policies and guidance, including the neighbourhood Plan, and the application is recommended for approval.”

- 8.6. It follows from the above that:
- 8.6.1. the Scheme is in accordance with the Development Plan and no other material considerations indicated that permission should have been refused;
 - 8.6.2. planning permission has been granted and a six-week period for Judicial Review has now passed. Therefore, there are no planning impediments to the implementation of the Scheme; and
 - 8.6.3. notwithstanding this, a summary of compliance of the proposals with relevant planning policy is provided below. All strategies, policies, and plans referenced are in line with the National Planning Policy Framework.
- 8.7. The Scheme is aligned with the objectives of the NPPF in the following ways:
- 8.7.1. Paragraph 90, the Scheme aims to boost the local economy and restore a sense of pride amongst the community. This aligns with the objective of supporting the growth, management and adaption of town centres;
 - 8.7.2. Paragraph 91 – The proposed Scheme is focused on the existing town centre which is consistent with the sequential test for main town centre uses; and
 - 8.7.3. the Scheme proposal accords with Paragraph 96 because it seeks to improve personal safety and reduce the fear of crime by creating clear legible pedestrian routes and a new high quality public space.

ROTHERHAM LOCAL PLAN – CORE STRATEGY

- 8.8. CS11 - Tourism and Visitor Economy
- 8.8.1. CS11 states that developments that improve the image and perception of Rotherham will be supported. Currently, Dinnington would not be viewed as a highly attractive town to visit due to various rundown and unused retail units on the high street and the poor environment. Although some locals do utilise the market, it is not frequented by people from further afield.
 - 8.8.2. This development will create an attractive environment that will encourage people to spend time in the town centre and will portray a positive external image of the borough of Rotherham. The demountable 'pop-up' market will be a modern and attractive offer

that will help rejuvenate the high street and it is hoped that this improved offer alongside the welcoming and friendly location will draw people to the town from further afield.

- 8.8.3. Being situated adjacent to the bus interchange and free car parking provides easy access to those wanting to travel by both public and private transport making it an easy place to visit.

8.9. CS12 - Managing Change in Rotherham's Retail and Service Centres

- 8.9.1. This policy sets out the Council hierarchy for investment in town centres across the borough; Dinnington is in the second group of towns, behind Rotherham town centre, for which investment should be prioritised. The policy also outlines the strategy for provision in each town centre; in Dinnington, the strategy is to improve the range of retail and service provision, reduce vacancies, and improve townscape and landscaping.
- 8.9.2. The current townscape and landscaping are marred by dated property and layout not conducive to safe and modern town centres. By demolishing and/or reorientating units that blight the high street, refurbishing and constructing modern commercial units for rent, and providing high quality public realm, both the townscape and landscape will be vastly improved.
- 8.9.3. The policy states that neighbourhood shops and shopping parades that provide for local retail and service needs will be safeguarded and improved to help reduce the need to travel and to maintain accessibility and inclusive communities. Although 6 of the retail units in the shopping parade will be demolished as part of the regeneration, 6 new commercial units will be provided as part of the new development. The quality and siting rather than the quantity will be increased giving traders a safe and sustainable location from which to trade.
- 8.9.4. Currently, there are various vacant units on Dinnington high street. Some displaced occupiers have been supported in their interest in moving to these vacant units while others have expressed interest in taking on a tenancy in the new units. In the development of the construction programme, careful consideration has been given to supporting tenants into new units. Further detail can be found in Section 15.

- 8.9.5. In addition to the built structures, the improved market offer will create further retail opportunity within Dinnington town centre.

8.10. CS14 - Accessible Places and Managing Demand for Travel

- 8.10.1. CS14 looks at how accessibility should be promoted through the proximity of people to employment, leisure, retail, health, and public services. One element of this is locating new development in highly accessible locations such as town and district centres or on key bus corridors which are well served by a variety of modes of travel (but principally by public transport) and through supporting high density development near to public transport interchanges or near to relevant frequent public transport links.
- 8.10.2. The scheme is located adjacent to the bus interchange, but routes are currently hidden and convoluted. By making it more accessible, by reorienting and opening out the route it is hoped there will be greater use of Dinnington bus interchange. It is hoped that private car journeys will be reduced as locals choose to utilise the town centre over more distant retail alternatives.
- 8.10.3. Provision has been made in the scheme for bike storage to encourage sustainable travel to and from the new development.

8.11. CS21 – Landscape

- 8.11.1. This policy states that new development will be required to safeguard and enhance the quality, character, distinctiveness, and amenity value of the borough's landscapes.
- 8.11.2. Proposals that reduce the negative visual impact of landscape detractors will be encouraged.
- 8.11.3. Landscape works shall be appropriate to the scale of the development.
- 8.11.4. Developers will be required to put in place effective landscape management mechanisms including long term landscape maintenance for the lifetime of the development.
- 8.11.5. The current landscape of Dinnington town centre is largely concrete, with a large area dedicated to the infrequently used markets and marred by landscape detractors such as burnt out and unused buildings, poorly maintained vegetation, and uneven, dated surfacing. Not only do these detractors negatively impact upon the

character and quality of the town centre, but they also pose significant safety risks.

8.11.6. This proposal will remove landscape detractors, creating a safer environment, well surfaced public realm, and sympathetic natural landscaping. An appropriate area that will form a new town square has been allocated for public realm, seating, and planting to bring character to Dinnington town centre and provide a distinctive open space for markets and events.

8.11.7. Robust surfacing and planting have been selected to ensure the area will remain attractive and high quality while keeping maintenance requirements to a minimum.

8.12. CS21 Landscape outlines that where opportunities exist, the Council, and its partners, will support landscape enhancement, restoration, reclamation, and other environmental improvements to enhance the quality, appearance, and attractiveness of the borough and encourage future investment, development, and tourism.

8.12.1. The development site has great potential to enhance the borough. There is little existing green infrastructure apart from a single tree within the site boundary. There are no Areas of High Landscape Value or significant landscape features which need to be considered.

8.12.2. The inclusion of high-quality public realm and creation of a greener and healthier environment through urban planting is a key part of the development and its success. The proposal includes the planting of 22 proposed native trees, a SuDs planting scheme, and ornamental planting. The proposal is appropriate for the scale of the development.

8.12.3. In partnership with Natural England (through the Yorkshire & Humber Green Infrastructure Mapping Project 2010) a strategic network of existing and potential Green Infrastructure has been identified at the regional scale. Dinnington, and the surrounding area does not form part of Strategic Regional, sub regional, or district Green Infrastructure Corridors. It does, however, form part of the local green infrastructure opportunities and will provide some enhancement to this network.

8.13. CS28 - Sustainable Design

- 8.13.1. CS28 looks at the sustainability of proposed designs and outlines the requirements to respect and enhance place and develop quality.
- 8.13.2. The proposed design has taken account of all elements outlined in CS28 to provide a spatially and contextually relevant mix of public space and commercial units. The proposal is respectful of the existing townscape in Dinnington with roof heights and building designs complementing surrounding architecture whilst creating a modern and safe sense of place. Once complete, the area will provide an attractive offer for people of all ages as well as for businesses and will foster civic pride and a sense of identity and place through well-managed buildings and spaces.
- 8.13.3. Re-orientation of the commercial units results in a layout which has been designed to allow for easy through routes to the high street from the bus interchange and car parks, whilst also creating an area of high-quality public realm that will be an attractive area to spend time. Appropriate landscaping has been included to provide balance to the scheme and encourage a healthy and enjoyable environment.
- 8.13.4. The design of the new and refurbished buildings is visually attractive providing a distinctive commercial offer more appropriate to a modern high street. By framing the public realm with the buildings, feelings of safety will be increased due to increased natural surveillance. Additionally, building heights have been carefully considered to ensure they are sufficiently high to avoid climbing.
- 8.13.5. Appropriately sized 'back of house' areas to the rear of the units have been allocated for deliveries, parking, and waste management. These areas will be securely gated and enclosed to prevent anti-social behaviour. In so doing, one clear route will be created, removing the current safety issue of multiple unlit passageways. Bollards and hard landscaping will be introduced at both ends of the scheme to guard against the risk of terrorist activity.
- 8.13.6. The retained shopping parade units will be refurbished to complement the rest of the development. This refurbishment will ensure the units are fit for purpose for the lifetime of the development and will tie the existing high street to the new development.

- 8.13.7. With quality place making at the heart of the proposals, the design will improve the character, quality, and function of the area, providing a similar quantum in a safer, sustainable environment.

8.14. CS29 - Community and Social Facilities

- 8.14.1. CS29 reads as follows: 'The Council will support the retention, provision, and enhancement of a range of community and social facilities in locations accessible by public transport, cycling or on foot which enhance the quality of life, improve health and well-being, and serve the changing needs of all of Rotherham's communities; particularly in areas of housing growth or identified deficiency. The Council will seek to enable provision through a variety of local authority, private sector, and local community partnerships, wherever appropriate, and support the co-location of community and social facilities wherever feasible.'
- 8.14.2. This proposal includes a new commercial / community use building that has the potential to be used for a wide variety of community purposes and will allow for involvement of the community through its opening onto the new town square.

ROTHERHAM LOCAL PLAN – SITES AND POLICIES

8.15. SP19 - Development within Town, District and Business Areas

- 8.15.1. The proposed area for this development is classed as a main shopping area. Five of the new units will be retail units and fall within the primary retail frontage boundary with the sixth lying outside of this boundary and allocated for café/restaurant operation. The commercial/community building will also be located outside of the primary retail frontage boundary.
- 8.15.2. SP19 states that,
- 8.15.3. "Retail and service centres are much more than a collection of shops. Associated services and outlets providing for visiting members of the public are appropriate and essential; banks, cafés, pubs, estate agents and take-aways are just a few examples, all of which can reinforce pedestrian flows and are preferable to long-term vacancies."
- 8.15.4. The café / restaurant unit will increase footfall to the new town square and provide a diversified offer for those visiting the town centre. Alongside this, the commercial / community building

provides a social and leisure offer by allowing for community activity to occur within the heart of the town centre. Both units assist in increasing the vitality and viability of the town centre, within a safe and accessible environment.

8.16. SP20 - Primary Shopping Frontages

- 8.16.1. SP20 explains that for the protection and enhancement of the concentration of A1 shops within areas allocated for primary frontages, any proposals for A2 or A3 uses at ground floor level must not dilute the concentration of A1 shops below 65%, detract from the appearance or character of the frontage, or create an inactive frontage.
- 8.16.2. The proposed development aims to increase the concentration of A1 shops compared to the existing concentration in the shopping parade with A5 units being replaced with A1 usage. It is proposed that the sixth unit, which will be outside of the primary shopping frontage boundary, be allocated for A3 usage; this will not dilute the concentration of A1 shops and will create an active frontage that adds to the distinctive character of the new town square. The café/restaurant unit will not undermine the retail attraction of the centre but will positively contribute to the liveliness of the development.
- 8.16.3. The commercial/community building, falls outside of the primary shopping frontage boundary in Dinnington town centre.

8.17. SP21 - Secondary Shopping Frontages

The site does not fall within the secondary frontage boundary as outlined on the retail centres map.

8.18. SP32 Green Infrastructure and Landscape

- 8.18.1. SP32 outlines how proposals for all new developments should support the protection, enhancement, creation, and management of multifunctional green infrastructure assets and networks. This includes landscaping at a scale and impact proportionate to the development to meet the needs of future occupants and users.
- 8.18.2. The landscaping has been designed to provide an attractive and functional space that is high-quality and can be maintained for the lifespan of this development.

8.19. SP55 - Design Principles

- 8.19.1. SP55 outlines how all forms of development are required to be high quality, incorporate inclusive design principles, create decent living and working environments, and positively contribute to the local character and distinctiveness of an area and the way it functions. Various additional elements of this policy will be outlined below.
- 8.19.2. The proposed development will provide a vast improvement to the working environment for retailers on Laughton Road by improving the character, safety, and attractiveness of the area, and the functioning of the space. It is thought that this proposal will raise the standard of design in Dinnington town centre.
- 8.19.3. Considerable consideration has been given to the context within which the new development will be constructed. Building heights complement adjacent existing buildings, materials have been chosen to sympathetically function alongside existing buildings, and the size of the units is relevant and appropriate for Dinnington town centre.
- 8.19.4. The landscaping has been designed to provide an attractive and functional space that is high-quality and can be maintained for the lifespan of this development.
- 8.19.5. The design honours the history and heritage of the area incorporating elements that will make the area distinctive and provide a sense of identity.
- 8.19.6. The proposed development will create a greater sense of safety within Dinnington town centre by clearly demarcating the public and private spaces using gates and fences to prevent access to private areas. The public space will be well lit, and appropriate CCTV will be provided with the commercial units also providing natural surveillance over the area.
- 8.19.7. A waste strategy has been developed for the site with clear areas allocated for waste to the rear of the units.
- 8.19.8. The site will be accessible for all people regardless of their age, ability, or disability. The landscaping will allow people to move through the development with ease and to access all the functions available on the site. The development is legible in that users can easily find their way around the site.

- 8.19.9. There are currently hidden routes through the site, this 'rabbit-warren' design has created issues with anti-social behaviour and crime. By creating a clear route through the area that has natural and digital surveillance, users will understand how to use the site, and the site will feel safe to use throughout the day and night.

8.20. SP59 - Shop Front Design

- 8.20.1. SP59 explains that the Council is committed to creating centres and shopping environments that are welcoming and attractive, projecting an image of quality and friendliness. The design of shop fronts has a major role to play in creating such quality environments. They are designed to attract attention, but this needs to be done sympathetically to the building upon which they are imposed and to the street scene in general. The promotion of good shop front design is therefore seen as essential.
- 8.20.2. The shop fronts have been designed to complement the building design and not detract from the overall street scene, while setting a higher standard for shop frontages in Dinnington. The frontages maximise the glazing facing onto both the street and the town square to create a modern and clean feel.
- 8.20.3. Shutter boxes will be located away from view and will not obstruct the architectural features of the buildings. Canopies have been included in the overall design with the majority being fixed, and one larger retractable canopy being included for the café / restaurant unit to allow for outdoor seating.
- 8.20.4. All doorways and entrances will be accessible to people with disabilities with the recessed frontages being shallow enough to avoid any issues with accessibility being created.

DINNINGTON ST JOHN'S NEIGHBOURHOOD PLAN

8.21. STC1 - Enhancing the Character, Attractiveness, Safety, and Accessibility of Dinnington Town Centre

- 8.21.1. According to STC1, development proposals will be required to demonstrate how they contribute to enhancing the character, attractiveness, safety, and accessibility of Dinnington Town Centre.
- 8.21.2. The area proposed for development is currently unattractive, unsafe, devoid of character, and not accessible for all. This development provides attractive public realm and built edifices and

simultaneously creates one safe and accessible route through from the car parks and bus interchange to Laughton Road. By demolishing half of the shopping parade, surveillance through from Laughton Road to Constable Lane will be provided. This safety will be enhanced by lighting and CCTV in the public realm and natural surveillance from the new commercial units.

8.21.3. The heritage elements of the public realm will create character and a sense of pride in the town centre.

8.21.4. Current surfacing makes the area inaccessible for various people, the newly surfaced area will provide ease of access for people of all abilities.

8.21.5. The materials chosen for the buildings are in keeping with the surrounding buildings. Further to this the heights and sizes of the units has been dictated by the town centre context.

8.22. STC2 - Shop Front Design in Dinnington Town Centre

8.22.1. STC2 states that development proposals to alter, replace or introduce shop fronts will be required to be of high quality, contributing to an overall improvement in terms of urban design and architecture.

8.22.2. This development will provide a higher standard of architecture and design within Dinnington town centre by introducing tasteful and attractive shop frontages.

8.22.3. The recessed frontages will provide greater visibility into the shops from various angles. This design element will also provide unique units that enhance the streetscape.

8.22.4. Each shop frontage will be equipped with a roller shutter for security.

8.23. BED2 - Design and Infrastructure

8.23.1. BED2 states that the design and master planning of development proposals should support the creation and maintenance of inclusive and healthy communities.

8.23.2. Current access routes between Constable Lane and Laughton Road via the outdoor market feel unsafe and are poorly surfaced having been poorly maintained. This development will provide one safe route through from the bus interchange and the wider Dinnington community to Laughton Road which will be accessible to people of

all ages. Surfacing and surveillance will be improved creating a safe accessway.

- 8.23.3. Buildings will be accessible to people of all ages and have been designed to avoid anti-social behaviour by ensuring the single storey elements are high enough to prevent climbing. Hidden corners will be eliminated in this new scheme to remove the opportunities for crime, and back of house areas will be gated and fenced.
- 8.23.4. This opportunity will enhance the retail draw of Dinnington for other towns in the area. The development will create a distinctive retail area and provide opportunities to create visitor interest in the town centre.
- 8.23.5. Any landscaping on the scheme has been designed to be maintainable for the lifespan of the development.

9. CONTRIBUTION TO THE WELL-BEING OF THE AREA

“The extent to which the proposed purpose will contribute to the achievement of the promotion or improvement of the economic, social or environmental wellbeing of the area.”

- 9.1. The Council is satisfied that this wholesale place making Scheme will make a material contribution to all of the wellbeing objectives. The basis for this conclusion is outlined below.

Economic well-being

- 9.2. The Scheme will promote and improve the economic well-being of the area by:
- 9.2.1. maximising the opportunity presented by the size and location of the site, enabling it to take full advantage of its strategic position in the heart of Dinnington. This space is currently poorly utilised and does not encourage the dwell time that is required to improve economic well-being;
 - 9.2.2. providing a reason for visitors to come to the town centre and extend their stay, maximising vitality and viability;
 - 9.2.3. improving the perception of Dinnington town centre, attracting more visitors and reversing the cycle of decline it currently faces due to the dated nature of the site, poor layout and inadequate holistic maintenance solution;
 - 9.2.4. expanding the market offer to include multiple market days and various market types. Making the public square the ‘heart’ of the retail centre by opening it up to Laughton Road; this will amplify its importance and significance to the town centre and to the traders and shoppers who use the space;
 - 9.2.5. removing derelict and vacant property and replacing with re-orientated, modern property to allow businesses to develop and grow;
 - 9.2.6. catalysing additional investment and development in the rest of the town centre;
 - 9.2.7. developing at a suitable yet impactful scale to create a more commercially viable investment destination to deliver a step change in property values;

- 9.2.8. generating new employment opportunities across a range of sectors including through the construction phase and within the development once the units are completed; and
- 9.2.9. creating a flexible town square that can host various events increasing footfall and spend.

Social well-being

- 9.3. The Scheme will promote and improve the social well-being of the area by:
 - 9.3.1. creating a new vibrant public space for the enjoyment of local people and visitors, whilst also creating new uses for the local community and retailers alike;
 - 9.3.2. adopting and implementing design principles which foster social interaction and a sense of community, specifically by creating a more pleasant public realm that delivers a legible and safe space centred around a new public square;
 - 9.3.3. providing a commercial / community unit for the use by members of the community;
 - 9.3.4. creating a safer, more accessible route, re-orienting the buildings and opening up and connecting the site to the bus interchange to Laughton Road
 - 9.3.5. reducing crime and fear of crime through good design, CCTV provision and removing 'black spots' for criminal activity;
 - 9.3.6. creating accessible buildings to people of all ages and abilities;
 - 9.3.7. diversifying and supporting the town centre offer, not competing with the rest of the town centre, but providing a better place to visit;
 - 9.3.8. providing businesses with a consistent and available, long term landlord who supports their growing businesses through estate management and access to business support; and
 - 9.3.9. generating better life experiences through improved connectivity and by replacing disused, aging and derelict buildings and structures with a vibrant redevelopment.

Environmental well-being

- 9.4. The Scheme will promote and improve the environmental well-being of the area by:
- 9.4.1. designing out the unappealing elements which are contributing to the site's lack of success, including burnt out buildings, unused and unsuitable buildings, unsafe and uneven passageways, hidden areas, and old market stalls;
 - 9.4.2. improving pedestrians' ability to navigate the area by carefully considering layout in order to promote movement between core uses and spaces;
 - 9.4.3. the provision of high-quality public realm including a key civic space in the form of a new town square;
 - 9.4.4. the inclusion of heritage elements including detailing in the hard landscaping and permanent public furniture;
 - 9.4.5. developing at a suitable scale which respects context;
 - 9.4.6. maximising soft landscaping to create pleasant, versatile spaces especially in the square;
 - 9.4.7. providing parking spaces for the units only and blocking any vehicular access onto site other than market trader access for setup;
 - 9.4.8. encouraging a shift towards bus patronage with the adjacent bus interchange;
 - 9.4.9. creating a vibrant centre near to new and existing residential developments, reducing the reliance on car movements to travel further afield; and
 - 9.4.10. utilising passive building design measures, including good levels of natural daylight and ventilation plus energy efficiency technologies throughout.
- 9.5. For the reasons set out above, the Council believes that the Scheme and the wholesale land acquisition required will contribute significantly to the improvement of the economic, social, and environmental well-being of the area.

10. ALTERNATIVES TO COMPULSORY PURCHASE

“Whether the purpose for which the local authority is proposing to acquire the land could be achieved by any other means. This may include considering the appropriateness of any alternative proposals put forward by the owners of the land, or any other persons, for its reuse. It may also involve examining the suitability of any alternative locations for the purpose for which the land is being acquired.”

10.1. Alternative Site

- 10.1.1. The nature of the site, its poor condition, location at the heart of the high street, convoluted layout and level of deterioration and aging are in themselves reason for public sector intervention.
- 10.1.2. The site represents a key regeneration opportunity within Dinnington Town Centre; its urban location, transport links, brownfield nature, and ability to sustainably contribute to the wider strategic aims are key elements in its selection as a suitable site for development of this nature. Within the town centre there are no alternative locations capable of the required impact (due to size and quality) that could bring economic, social, and environmental improvements whilst also housing the market, removing unsightly and unsafe buildings, and creating a new town square with close links to sustainable transport infrastructure in the form of the bus station. As such, there were no alternative locations within the town centre identified as capable of delivering the Scheme.
- 10.1.3. At the start of the regeneration project the site was in numerous ownerships, with the various parcels restricting the potential for a holistic redevelopment. The layout and number of owners indicates that without full ownership a successful place making Scheme cannot be progressed.

10.2. Alternative Uses

- 10.2.1. While redevelopment of this section of Laughton Road has been consistent throughout the development of proposals for Dinnington, alternative future uses have been explored. In 2021 when the Council developed its first proposal to the Levelling Up Fund, the scheme proposed the creation of retail and residential uses, a new indoor and outdoor market and public realm space. While the quality of the bid was recognised by the then DLUHC department responsible for the administration of the grant, they rejected the

application, partly due to the lack of confidence in the viability of the scheme largely due to the inclusion of residential accommodation, which would have required additional funding on top of the Levelling Up Fund available.

- 10.2.2. In consideration of this feedback, a different proposal was submitted to DLUHC in 2022 removing the residential elements, focusing on improving quality, management, accessibility and supporting commercial uses, with support for the retail environment considered essential for this high street. This scheme received Government support in 2023 as part of the then Government's Capital Regeneration Grant.

10.3. **Alternative Design**

- 10.3.1. A smaller scheme was informally reviewed prior to the submission of the second Levelling Up bid. This scheme sought to remove and replace the most problematic buildings, ie the burnt out building and former indoor market. However, in the development of this design, it became increasingly clear that without making a change to the entire site, it would be impossible to deliver a safe, cohesive, and effective regeneration scheme.
- 10.3.2. The current layout creates a confusing maze of passageways and hidden areas surrounded by poorly maintained property and adjacent open areas in multiple ownerships. Smaller interventions would fail to create the transformative development that could be achieved on the entire site. It was therefore determined that the most transformative and deliverable approach would be to demolish a number of buildings and reorientate the design to create a legible Scheme that reinvents Dinnington town centre with commercial and leisure uses.
- 10.3.3. The approved scheme provides a mix of building sizes and uses, inspired by the scale of the surrounding area and in keeping with commercial advice, provided by the Council's advisors Crossthwaites Commercial. This advice supports the design, size and mix of units. Citing the benefit of Council ownership, the need for regeneration and likely tenants.
- 10.3.4. The ground floors of reoriented buildings will now front on to the town square and provide active uses, to provide a vibrant

environment. Within the redevelopment open space to be used as public realm is to be created and made available for community events as well as for the weekly open markets. This will tackle the current anti social behaviour issues which arise in part from dated design and poor maintenance.

10.4. Alternative Delivery

- 10.4.1. No objector has put forward a holistic alternative solution to the Scheme proposed and its associated compulsory acquisition which is capable of delivering the purposes for which the Council is seeking to acquire the land.

11. DELIVERY, VIABILITY & FUNDING

- 11.1. Paragraph 109 of the Guidance provides that when deciding whether to confirm a compulsory purchase order the confirming authority can be expected to consider:

“The potential financial viability of the Scheme for which the land is being acquired, a general indication of funding intentions and of any commitment from third parties, will usually suffice to reassure the confirming authority that there is a reasonable prospect that the scheme will proceed. The greater the uncertainty about the financial viability of the scheme, however, the more compelling the other grounds for undertaking the compulsory purchase will need to be. The timing of any available funding may also be important. For example, a strict time limit on the availability of the necessary funding may be an argument put forward by the local authority to justify proceeding with the order before finalising the details of the replacement scheme and/or the statutory planning position.”

- 11.2. Paragraph 14.1 of the Guidance addresses the information that an acquiring authority needs to provide in respect of the resource implications of a scheme. It states:

"In preparing its justification for the compulsory purchase order, the acquiring authority should address:

- 11.2.1. Sources of funding - the acquiring authority should provide substantive information as to the sources of funding available for both acquiring the land and implementing the scheme for which the land is required. If the scheme is not intended to be independently financially viable, or the details cannot be finalised until there is certainty that the necessary land will be required, the acquiring authority should provide an indication of how any potential shortfalls are intended to be met. This should include:
- 11.2.2. The degree to which other bodies (including the private sector) have agreed to make financial contributions or underwrite the scheme;
- 11.2.3. The basis on which the contributions or underwriting is to be made
- 11.2.4. Timing of that funding - funding should generally be available now or early in the process. Failing that, the confirming authority would expect funding to be available to complete the compulsory acquisition within the statutory period (see section 4 of the Compulsory Purchase Act 1965) following the operative date., In

some circumstances, it would be reasonable for an acquiring authority to acquire land with little prospect of the scheme being implemented for a number of years. For example, where funding is available to acquire the land for master planning purposes, but the actual delivery of the underlying scheme is not immediate.

- 11.2.5. Evidence should also be provided to show that sufficient funding could be made available immediately to cope with any acquisition resulting from a blight notice."

11.3. **Funding**

- 11.3.1. The scheme is fully funded through the Government's Capital Regeneration Grant totalling £11,049,547, a further contribution of £1.2m has been allocated by the Council. These funding arrangements are confirmed through a Memorandum of Understanding and the Council's Cabinet report of 29th July 2024.
- 11.3.2. The funding was made available in 2023 and has been used to undertake the development of the scheme to date, including development of the CPO and acquisition of property. On 11th February 2025 the Council received a notification that the MOU has been altered to allow scheme delivery up to March 2028, securing the funding for the full extent of the delivery programme.
- 11.3.3. The compensation payable to affected parties as a result of the Order will be met by the Council. The Council, having obtained independent professional advice from chartered valuation surveyors at Gateley Hamer as to the estimated liability for the compensation that may be payable, is satisfied that it has the resources to meet all compensation payments arising from the implementation of a confirmed Order. The resources are committed to this project and are immediately available.

11.4. **Cost and Design Deliverability**

- 11.4.1. Having secured funding the Council has undertaken the development of designs to RIBA Stage 3. The cost plan currently estimates the cost of the scheme to be £12,249,547. To date the Council has expended £1,785,195 from the total funding on the scheme.
- 11.4.2. A cost assessment of the scheme has been undertaken by the Council's appointed cost consultants, Turner Townsend, to coincide with RIBA design stages. While costs will be confirmed following the

appointment of contractors the level of design detail is considered to provide sufficient cost assurance at this stage of the process.

11.5. Contractor Appointment

11.5.1. Procurement of a contractor began in June 2024 in the form of market engagement and expressions of interest. The next steps in procurement will likely see the appointment of a contractor on a 2 stage design and build contract enabling the progression of Stage 4 designs and start on site taking place soon after the CPO process is concluded.

11.5.2. An Expression of Interest and market engagement exercise was undertaken in June 2024 and demonstrated a clear interest from the construction market in developing this scheme.

11.6. Programme Deliverability

11.7. The delivery timeline for the Scheme is significantly well developed and has been tested with the Council's consultants Turner Townsend. Accordingly, the Order Land is required as soon as possible to enable the programme to proceed as planned, to allow the planning permission to be implemented, and for the full social, economic, and environmental benefits of the Scheme to be unlocked for Dinnington town centre and the wider borough.

11.8. The Council has been acquiring property by negotiation since the funding was first made available. Decant of tenants is taking place and the Council is seeking to undertake demolition of units as soon as possible. Further information on the Council's approach to relocation and business support can be found in Section 15.

11.9. Demolition of the burnt-out building, indoor market, outdoor market, units 36A – 44 Laughton Road, and the colliery band building will follow decant and the acquisition of all property. The demolition phase is scheduled to take 4 months.

11.10. Demolition will allow for the development of new commercial units, a new town square, and the commercial / community unit to be brought forward. Construction is scheduled to take 12 months.

11.11. The refurbishment of the retained units at 46 – 56 Laughton Road will take place as part of the overall scheme. Tenants in these units are offered the opportunity to remain in situ and relocate into a new unit once constructed.

11.12. To conclude, the framework by which delivery of the Scheme is being pursued by the Council is well developed. The timeframe demonstrates why the Order Land is required as soon as possible to allow the Scheme to proceed to enable the implementation of the Planning Permission which will unlock the much needed social, economic, and environmental benefits for Dinnington town centre.

12. IMPEDIMENTS TO DELIVERY

12.1. Paragraph 15.1, of the Guidance deals with the question of impediments to the Scheme. It states:

“It is not expected that all impediments to the delivery of a scheme will have been removed or overcome by the point at which the decision on the confirmation of a compulsory purchase order is made. It may be necessary to assemble land before removing or overcoming certain impediments to maximise the opportunities that exist for an area. The acquiring authority will however need to be able to show that the implementation of the scheme following the confirmation decision being made is unlikely to be blocked by any physical or legal impediments. These include:

- the programming of any infrastructure accommodation works or remedial work which may be required
- any need for planning permission or other consent or licence”

12.2. The Council has undertaken the necessary actions to secure deliverability of the scheme for which the land is required.

12.3. Planning permission for the Scheme was granted on **13th September 2024**.

12.4. Procurement for a contractor is underway with market interest proven.

12.5. The Council is therefore satisfied that there are no physical or legal impediments to the Scheme proceeding save for acquiring the outstanding interest in land that are the subject of the CPO.

13. CONSULTATION

- 13.1. The Council has sought to engage the public, businesses, and key stakeholders in developing plans for Dinnington throughout the project lifespan and prior to funding being confirmed. Since project initiation, an engagement plan has been developed to ensure a wide audience are consulted throughout the lifespan of the project.
- 13.2. The Government supported Scheme has been developed in conjunction with Dinnington Ward Members, Dinnington St John's Town Council, and the MP for Rother Valley, all of whom have offered consistent support.
- 13.3. The need to support the high street was identified in Dinnington St Johns Neighbourhood Plan consultation and further public consultation took place during the development of the Council's first principal areas of growth bid in 2021. The feedback from this consultation informed the development of the bid and has shaped the resultant proposal for Dinnington.
- 13.4. In October 2023, once funding was confirmed consultation events took place with members of the public, key stakeholders, and businesses to listen to views and ideas. Feedback from this session was used to further inform and develop detailed design.
- 13.5. Further engagement events took place in March 2024 to showcase how the previous consultation had impacted on the proposed Scheme. Responses to the detailed plans were positive with the majority of residents expressing an eagerness to see the plans come to fruition as soon as possible.
- 13.6. Local newspapers and newsletters have been used alongside social media posts, website content, and printed content to ensure events and key messages are communicated to as broad an audience as possible. The significant reach of these posts has been reflected in the high number of people attending consultation and engagement events.
- 13.7. Residents stated that their main concerns were that there were disused and burnt-out buildings in the area and that the outdoor market stalls and multiple access routes through the site were unsafe and often the site of anti-social behaviour. Residents expressed frustration regarding the stagnancy of the area due to private ownership being unwilling to invest in the site. A popular opinion among residents was that they wanted to see the market offer continue and improve as it is well used and provides a good atmosphere on market days.

- 13.8. As can be deduced by comparing the Scheme with the feedback from consultation events, the Council has paid keen attention to the thoughts and views of residents, businesses, and stakeholders to develop a Scheme that tackles the issues in the area and provides a significant positive impact.

14. ACQUISITION NEGOTIATIONS

- 14.1. The Guidance states that the acquiring authority should take reasonable steps to understand the impact of the exercise of CPO powers on those with an interest in land through direct engagement with those parties and attempt the acquisition of the land and rights by agreement (Tier 1, para 2.2).
- 14.2. Paragraph 19.1 of the Guidance provides as follows:
 - Para 19.1(a) – the Council should provide full information from the outset about what the compulsory purchase process involves, the rights and duties of those affected and a timetable of events in an accessible format:
 - 14.2.1. On 8th June 2022 the Council's agent, Gateley Hamer sent a letter to affected landowners within the then redline boundary, informing them that the Council was about to make an application for Round 2 Levelling Up Funding. The letter explained that the envisaged scheme would include new commercial space, market and public realm improvements. The letter went on to state that Gateley Hamer were instructed to assist the Council with land assembly for the prospective scheme and provided a plan showing the anticipated redline boundary. The letter informed the recipients that their property had been identified as one that would be affected by the proposed scheme. The letter informed affected owners that the council wished to engage early with affected parties to ensure their position was fully considered as part of the proposed scheme.
 - 14.2.2. Following the initial landowner letters being sent, Gateley Hamer was contacted by several landowners advising that their tenants were aware of the scheme and requested occupiers be contacted and informed of the Council's proposals. On 4th August 2022, a surveyor from Gateley Hamer hand delivered letters to retail unit occupiers. The letters dated 2nd August 2022 informed retail occupiers that the Levelling Up Fund application was being made and that if successful the Council would endeavour to support them in the continuity of their businesses.
 - 14.2.3. The surveyor discussed the process that would be involved in effecting land assembly with those retailers that wanted to engage at that time. That included affected parties being informed of their entitlement to appoint agents to represent them.

- 14.2.4. The Council has had a dedicated website from scheme inception relating to the regeneration scheme [Dinnington High Street and Market – Rotherham Metropolitan Borough Council](#) The website contains scheme specific information including an FAQ section.
- 14.3. Para. 19.1(b) – Council should inform affected parties of publicly available guidance including the Guidance, the Department’s plain English guides and any information or guidance published by the Council;
- 14.3.1. Gateley Hamer provided a link to the plain English guide on the .gov Compulsory Purchase guidance website in an email to Mr Mugglestone in relation to Plots 18, 19 and 21 on 31st October 2023.
- 14.3.2. Gateley Hamer provided links to various sites including the Compulsory Purchase find a member site, the .gov Compulsory Purchase guidance website and the RICS compulsory purchase helpline site to Mr Mehmet Akkurt of Cobani Property Limited in relation to Plot 9 on 24th October 2023.
- 14.4. Para 19.1(c) – the Council should appoint a specified case manager during the preparatory stage to act as a point of contact for those with concerns about the acquisition process:
- 14.4.1. Gateley Hamer has been the contact and ‘go between’ for the majority of affected parties. Further, where appropriate, occupiers have been provided with the contact details of the Project Manager(s) dealing with the Scheme and relevant Council Estates and Asset Management officers.
- 14.5. Para 19.1 (d)- The Council should make owners and occupiers aware of professional advice available to assist them in understanding the impact of the scheme on their interest and the appropriate compensation which may be available to them:
- 14.5.1. From scheme inception, the Council’s agent, Gateley Hamer, has been in touch with all affected parties inviting them to appoint an appropriately qualified and experienced compulsory purchase practitioner.
- 14.6. Para. 19.1(e) – the Council should where appropriate offer advice and assistance to affected occupiers in respect of relocation and provide details of and discuss available relocation properties:
- 14.6.1. The Council’s Property Services team have assisted displaced occupiers in seeking relocation premises, as described further in Section 15. Undertakings have also been given for affected

occupiers to appoint agents to locate suitable alternative relocation premises. Temporary relocation of displaced occupiers within the red line boundary is being undertaken where tenants feel this is the right solution for them. Pre-lets in the new scheme are being discussed with site occupiers.

- 14.7. Para 19.1(f) – The Council should keep any delay to a minimum by completing the statutory process as quickly as possible and taking every care to ensure that the compulsory purchase order is made correctly and under the terms of the most appropriate enabling power:
- 14.7.1. On 7th 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.
- 14.7.2. Further, Cabinet resolved to 'in principle' investigate the use of Compulsory Purchase Order powers if terms could not 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.
- 14.7.3. In October 2024 Cabinet resolved the making of the CPO.
- 14.7.4. The Order was made on 7th January 2025, demonstrating the Council's balanced view to proceeding in a timely manner, yet allowing adequate time for negotiations to take place.
- 14.8. Para. 19.1(g) – the Council should consider providing a 'not before' date for acquisition:
- 14.8.1. The Council is not able to provide "not before" dates at this time. However, as soon as it is clearer as to how long the Order confirmation process will take the Council is willing to consider providing such dates.
- 14.9. Para. 19.1(h) – where appropriate, the Council should give consideration to agreeing to fund owners' or occupiers' reasonable costs of negotiation or other costs and expenses likely to be incurred in advance of the process of acquisition. For example, professional fees for the undertaking of surveys or reports to assist in understanding the impact of the exercise of compulsory purchase powers included in a compulsory purchase order on particular land:

- 14.9.1. Most affected parties chose to appoint agents, and fee undertakings have been agreed between the Council and those appointed agents.
- 14.10. Para. 19.1(i) – The Council should consider offering to alleviate concerns about future compensation entitlement by entering into agreements about the minimum level of compensation which would be payable if the acquisition goes ahead (not excluding the claimant’s future right to refer the matter to the Upper Tribunal (Lands Chamber))
- 14.10.1. The Council has not sought to enter into agreements about minimum levels of compensation at this stage in the process but purchase terms including acquisition sum and other compensation code entitlements were offered to the outstanding interest holders so they have an understanding of the Council’s assessment of their entitlement, as follows:
- Plot 5 – Initial offer 19th October 2023 – negotiations are ongoing
 - Plot 9 – Initial offer 24th October 2023 (head leasehold interest only) negotiations are ongoing
 - Plots 14 and 15 – headlease acquisition agreed 17th September 2024 and with solicitors
 - Plots 14 and 15 – underlease 4th December 2024 – negotiations are ongoing.
 - Plot 17 – 13th December 2024, agreement is in place subject to Charities Act compliant surveyor’s report.
 - Plot 19 – initial offer 24th October 2023 – negotiations are ongoing
 - Plot 21– initial offer 24th October 2023 – negotiations are ongoing
- 14.11. Para 19 (j) – The Council should consider agreeing to fund owners’ and occupiers’ reasonable costs and expenses anticipated to be incurred by those owners and occupiers before an alternative property is acquired and the costs/expenses incurred. For example, professional fees for the undertaking of surveys or reports to assist in understanding the impact on the owner or occupier of the exercise of compulsory purchase powers:
- 14.11.1. The Council will consider reimbursing reasonable costs and fees incurred by affected parties in dealing with the compulsory

acquisition of their interests, subject to such costs being relevant to the interests being acquired and where appropriate and possible agreed in advance.

- 14.12. Gateley Hamer has engaged with all affected parties and made offers to acquire the relevant interests on compensation code terms in the shadow of a compulsory purchase. Affected occupiers whose interests can be acquired without the need to use compulsory purchase powers are being offered compensation on better than statutory terms set out in Section 37 of the Landlord and Tenant Act 1954.
- 14.13. The Council has used its discretion in its capacity as Landlord to terminate the tenancies at 36A and 36B Laughton Road (Plot 18), 38 Laughton Road (Plot 16), 42 Laughton Road (Plot 13), 44 Laughton Road (Plot 12), 46 Laughton Road (Plot 11), 52 Laughton Road (Plot 8) and 56 Laughton Road (Plot 3). All of the tenancies referred to were holding over on time expired leases the Council having served Section 25 Notices in accordance with Section 30(1)(f) of the Landlord and Tenant Act 1954. Those tenants that wish to remain in occupation of units until the Council requires possession to implement the scheme will be permitted to do so on ex-1954 Act occupation agreements that will permit the Council to take possession to implement the development.
- 14.14. At the time of drafting this statement the Council has acquired all but eight of the eighteen property interests required to deliver the Scheme see **Appendix 5**.
- 14.15. Of those eight interests, two are agreed and respective solicitors instructed, as detailed below.
- 14.16. Gateley Hamer is continuing to negotiate with the remaining interest holders to acquire the outstanding interests and this will continue alongside and throughout the process for confirming the Order. The table below shows the property interests yet to be acquired by the Council and the current status of negotiation and agreement.

Property to be acquired CPO Schedule and Map reference	Nature of interest	Owner/Tenant	Current negotiations
Dinnington outdoor market (Plot 5)	Freehold SYK200718	Donna Nixon	Purchase terms have been offered by the Council; negotiations are on- going with the property owner's agent
50 Laughton Road (Plot 9)	Long head lease SYK538924	Cobani Property Limited	Purchase terms have been offered by the Council; progress has been slow hampered by the interest holder's agent not engaging on the acquisition of the head leasehold interest
50 Laughton Road (Plot 9)	Sub lease	Ahmet Gungor t/a Vegas Barbers	Matters have not been progressed to any material degree due to the interest holder's agent not engaging on a relocation or extinguishment of the occupier's business.
40 Laughton Road (Plots 14 and 15)	Long Leasehold SYK531221	Alaa Al Najafi	Purchase terms have been agreed and the matter is with solicitors
Plots 14 and 15	sub-lease	Bijyan Ismail t/a Max's Pizza	Relocation terms have been offered by the Council and negotiations are on- going with leaseholder's agent.

Dinnington colliery Band building and commercial land situated south-west of Dinnington Bus Interchange and Dinnington Indoor Market, S25 2PS (Plot 17)	Freehold SYK655515	Joanne Elizabeth Brookes-Wright, Mark David Fenton and Sally Georgina Brennan as Trustees of the Dinnington Colliery Band	Having previously been offered a bespoke new unit within the scheme the owners wish to relocate to a Council property on Laughton Rd. Acquisition and relocation terms are close to being agreed
Dinnington Indoor Market, 34 Laughton Road, Dinnington, Sheffield, S25 2PS (Plot 19)	Freehold SYK264444	William John Carroll and Roy James Mugglestone	Purchase terms have been offered by the Council and negotiations are on-going with the property owner's agent
32A Laughton Road (Plot 21)	Freehold SYK248042	Audrey Beryl Mugglestone and Yvonne Mugglestone and Roy Mugglestone	Purchase terms have been offered by the Council and negotiations are on-going with the property owner's agent

15. RELOCATION & BUSINESS SUPPORT APPROACH

- 15.1. Throughout the development of the scheme, negotiation and CPO the Council have always been mindful of the need to support the business community of Dinnington through this transitional and disruptive period.
- 15.2. Engagement with the occupiers of affected units progressed once the funding was secured, beginning with an initial invitation to a dedicated engagement event in Autumn 2023, followed by a further session in March 2024 and then subsequent contact on an individual basis to discuss specific requirements. 121 engagement has been undertaken by the Council's Property Services team.
- 15.3. The scheme was designed to directly replace or refurbish the number of functional retail units (12) along with the public area which would allow the market to continue trading. Businesses were consulted on the early designs and fed in requirements such as external canopies that maximise display space and attract more custom.
- 15.4. A replacement Colliery Band building was also incorporated into the scheme however, the band's later preference has been to relocate to a nearby surplus Council property which has been accommodated and terms are currently being finalised.
- 15.5. In programming the redevelopment work, initially the Council wished to build all new properties prior to the demolition and refurbishment of the tenanted units 36-55 Laughton Road, thus reducing the need to displace tenants outside of the scheme. However, the design process identified the requirement to remove units 36 - 44 due to the presence of an attenuation tank and limited access for safe demolition of the neighbouring properties.
- 15.6. One of the key early acquisitions was the purchase of the freehold interest in 38 to 56 Laughton Road. During negotiations to purchase, the Council undertook condition surveys of the buildings. It was apparent from those surveys that the block was in a poor state of repair, in particular the roof had reached the end of its serviceable life, and the building was not weathertight. The M&E installations were in a poor state of repair and not in compliance with the relevant regulations. In places water ingress from the leaking roof had caused electrical issues, with number 54 particularly badly affected, to the extent that prior to the Council taking ownership one occupier left following an electrical fire, with the electric installation subsequently being condemned by the Distribution Network Operator.
- 15.7. Following the initial purchase and two subsequent purchases of the freehold interests in 36a & b and 56 Laughton Road, the Council became the direct

landlord to all of the retail units save for 40 Laughton Road and 50 Laughton Road, where the units are subject to two investment headlease and underlease interests, further detail on the status of negotiations with these owners can be seen in Section 14. Post purchase it was apparent that the condition of the buildings was very poor and in need of immediate works to stabilise matters and deal with long standing tenant grievances relating to former landlords' lack of repair and maintenance. As a goodwill gesture the Council has undertaken various internal repairs which under the terms of the leases would be tenant responsibilities. This was in appreciation of disturbance largely out of the tenants' control.

- 15.8. Flexibility on vacation dates have also been agreed where feasible and rent payments and arrears arrangements have been made to support the cash flow of businesses. The Council has also agreed and accommodated an early surrender for an already struggling business.
- 15.9. Disturbance is being minimised through an approach that aims to facilitate a single relocation based on individual preference, whether that be elsewhere on the development site, further along the high street or to a new area. The ambition is to retain as many current businesses as possible to see them realise the benefits of the investment however, it is also recognised that some are taking the opportunity to relocate elsewhere.
- 15.10. The Council has supported tenants to explore appropriate relocation opportunities, and to agree funding to facilitate this where appropriate. All tenants that have been served a S.25 were provided with a list of vacant properties on Dinnington High Street (at the time) for their consideration.
- 15.11. Practical support and guidance has been offered throughout the lifetime of the project, with multiple invitations to access the Council's Business & Investment services being extended at the initial consultation events and in written correspondence.
- 15.12 Overall, with regards to operational businesses, the Council has taken steps to offer over and above statutory compensation at double the standard Landlord & Tenant Act Rateable Value despite in many cases there being no evidence of formal lease arrangements in place. Taking an equitable approach, each case has been dealt with on its individual merits with a tailored package of support being offered.
- 15.13 Discussions are being taken forward between the Council and the current market operator, Paylet Limited, regarding Paylet potentially operating the market offer in the new development.

16. PUBLIC SECTOR EQUALITY DUTY

- 16.1. Paragraph 6.1-6.2 of the Guidance addresses how the Public Sector Equality Duty should be considered in the compulsory purchase regime. It states:

"All public sector acquiring authorities are bound by the Public Sector Equality Duty as set out in section 149 of the Equality Act 2010. Throughout the compulsory purchase process acquiring authorities must have due regard to the need to: (a) eliminate unlawful discrimination, harassment, victimisation; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. In performing their public functions, acquiring authorities must have due regard to the need to meet these three aims of the Equality Act 2010.

For example, an important use of compulsory purchase powers is to help regenerate run-down areas. Although low income is not a protected characteristic, it is not uncommon for people from ethnic minorities, the elderly or people with a disability to be over-represented in low -income groups. As part of the Public Sector Equality Duty, acquiring authorities must have due regard to the need to promote equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. This might mean that the acquiring authority devises as process which promotes equality of opportunity by addressing particular problems that people with certain protected characteristic might have (e.g., making sure that documents are accessible for people with sight problems or learning difficulties and that people have access to advocates or advice)."

- 16.2. Equality Impact Assessments (EqIAs) have been carried out at each decision stage, i.e. Cabinet approval and the implementation of delegated decisions in the development of the Scheme. The findings, impact and any proposed mitigation has been captured in the Council's standard EqIA process.
- 16.3. A detailed Equality Impact Assessment has also been undertaken in relation to the CPO itself. EQIAs are monitored and reviewed throughout the promotion and implementation of the Order to ensure that the Council complies with the public sector equality duty when making decisions associated with the Order and so that any impact may be measured and mitigated as appropriate.

- 16.4 In summary the EqIA demonstrates the level of consultation undertaken, the efforts the Council has made to consult with groups representing people with protected characteristics and the contact the Council has had with those directly affected by the Order and the Scheme i.e., landowners and occupiers. Further information on the Council's approach to consultation and engagement with the public can be found in Section 13 and those directly affected by acquisition at Sections 14 and 15.
- 16.5 The Council has made every endeavour to ensure both owners and occupiers 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 1-2-1 sessions providing named officer contact details and providing information in written and spoken form in person and via other means e.g., website and letter. Ward Members have been supportive in acting as a conduit between Council officers, representative agents and owners and occupiers.
- 16.6 The Council considers that the Order and resultant Scheme will, 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.
- 16.7 Investors and operators are being offered compensation in accordance with relevant statutory requirements and entitlements.

17. HUMAN RIGHTS

- 17.1. Article 1 of the First Protocol to the Convention states that "...Every natural or legal person is entitled to peaceful enjoyment of his possessions" and "no one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by the law and by the general principles of international law...".
- 17.2. Whilst occupiers and owners in the Order Land will be deprived of their property if the Order is confirmed and the powers are exercised, this will be carried out in accordance with the law, in this case the Town and Country Planning Act 1990 in respect of land to be acquired and section 13 Local Government (Miscellaneous Provisions) Act 1976 in respect of new rights only to be acquired. The Order is being pursued in the public interest as required by Article 1 of the First Protocol. The public benefits associated with the Scheme are set out earlier in this Statement of Case. The Council considers that the Order will strike a fair balance between the public interest in the implementation of the proposals and those private rights which will be affected by the Order.
- 17.3. Article 6 of the Convention provides that: "In determining his civil rights and obligations...everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law".
- 17.4. The regeneration proposals, including those associated with the Order Land, have been extensively publicised and consultation has taken place with the communities and parties that may be affected by the Order, as outlined in Section 13 and those directly affected in Sections 14 and 15. Further, the opportunity has been given through the consideration of the planning applications to make representations on the proposals. All those affected by the Order will be notified, will have the right to make representations and/or objections to the Secretary of State, and objecting parties will have the right to be heard at a public inquiry. It has been held that the statutory processes are compliant with Article 6 of the Convention.
- 17.5. Those whose interests are acquired under the Order will also be entitled to compensation which will be payable in accordance with the compulsory purchase Compensation Code, assessed on the basis of the market value of the property interest acquired, disturbance (i.e., reasonable moving costs and costs/losses directly related to the compulsory acquisition) and statutory loss payments. The reasonable surveying and legal fees incurred by those affected

in transferring interests to the Council will also be paid by the Council. The Compensation Code has been held to be compliant with Article 1 of the First Protocol to the Convention.

- 17.6. The European Court of Human Rights has recognised in the context of Article 1 of the First Protocol that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and the community as a whole”. Both public and private interests have been considered in the exercise of the Council’s powers and duties as demonstrated in this Statement of Case.
- 17.7. In promoting this Order, the Council has carefully considered the balance to be struck between the effect of acquisition on individual rights and the wider public interest in the redevelopment of the Order Land. Interference with Convention Rights is considered by the Council to be justified here in Order to secure the economic regeneration, and environmental and public benefits which the proposals will bring, as demonstrated in this Statement of Case.
- 17.8. The requirements of the Human Rights Act 1998 and the Convention, particularly the rights of property owners, have therefore been fully considered. There is a compelling case in the public interest for the Order to be made and confirmed, and the interference with the private rights of those affected that would be the inevitable result of the exercise of the compulsory powers conferred by the Order would be lawful, justified and proportionate.

18. SPECIAL CONSIDERATIONS

- 18.1. There are no listed buildings within the boundary of the site and no proposals to demolish any listed buildings.
- 18.2. The proposed Scheme does not fall within a Conservation Area.

19. SPECIAL CATEGORIES OF LAND

19.1. None

20. OBJECTIONS

- 20.1. Objections have been received from 5 qualifying persons. These objections relate to:
- (1) Plot numbers 19 and 21 (32 and 34 Laughton Road);
 - (2) Plot number 5 (outdoor market)
 - (3) Plot number 9, two objections (50 Laughton Road)
 - (4) right to maintain property South Yorkshire Combined Authority
- 20.2. The table overleaf refers to each objector and the Council's consideration of impact on each, it also summarises how the Council has sought to mitigate impact. The objector's specific objections as written in their response to the Statement of Reasons is also detailed along with the Council's response to the objections

Objection: Plots 19 and 21			
Objection	Response	Assumed Impact	Mitigation
<p>Factual Matters</p> <p>The Council have presented a position within the SofR where the land is (Paragraph 1.4) “disused, derelict ageing and declining town centre buildings”. However, this not an accurate position. We also consider that the photographs appended to the SofR have been taken at a time when footfall and business activity was not in operation (including on a day when the market was closed).</p> <p>The Council’s statements regarding the use of our client’s properties is also not correct</p>	<p>The Council considers that the description of the subject plots as disused, derelict, ageing and declining is accurate.</p> <p>The dereliction of the ‘burnt out’ building on Plot 21 is demonstrated within the photo pack.</p> <p>The disuse of Plot 19 is confirmed by the Objector who confirms that the Indoor Market building is closed. This, together with the photographic evidence and passage of time since the properties became vacant is considered by the Council to</p>	<p>Neither plot is in beneficial use, nor tenanted.</p> <p>Plot 21 is incapable of being put into beneficial use without significant expenditure which the Council considers to be unviable.</p> <p>Plot 19 is vacant and has been vacant for some time.</p> <p>Acquisition by the Council will relieve the Objector of the burden of owning derelict and disused buildings.</p> <p>There will be no immediate loss or detriment to the Objector if the plots are acquired for the</p>	<p>The Council considers that a compensation code settlement will adequately address the impact of the acquisition of the Objector’s interests in Plot 19 and plot 21.</p> <p>Engagement commenced with the Objector before the Levelling Up funding was secured, and the objector provided a letter of support which stated their willingness to support the project on a key condition that their tenants were supported. The Council reached agreement on one of the objector’s properties No.36 Laughton Road (plot 18) but despite best efforts is still unable to secure agreement to the</p>

<p>(Paragraph 2.2.1 and 2.2.2). The Market Hall building was not closed due to the Covid-19 pandemic but due to the death of a partner. Subsequent to this, our client was asked to support the Council's levelling-up proposals and has therefore not sought to push full re-occupation of the building. Our client continues to receive enquiries from local business wishing to take occupation of the Property.</p> <p>In respect of 32 Laughton Road, the Property was subject to an arson attack and has stood vacant since this time. Attempts to reinstate the Property were then thwarted for a number of years due to settlement of insurance – a</p>	<p>demonstrate their declining nature.</p> <p>Reference to the reasons for the closure of the indoor market has been amended in paragraph 2.24 above.</p>	<p>redevelopment scheme as neither Plot is income producing or contributing to the social or environmental wellbeing of the high street.</p>	<p>purchase of the non-tenanted properties.</p>
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<p>matter which ultimately needed raising with the Ombudsman.</p> <p>Our client has other land interests and rights of Plots 17 and 20. There has been no meaningful engagement from the Council with respect to these interests</p>			
Objection	Response	Assumed Impact	Mitigation
<p>Alternative Proposals</p> <p>Our client would be happy to enter into an undertaking with the Council to support bringing their properties back into use.</p>	<p>Throughout this Statement of Case the Council has explained the need for a holistic development solution which requires the demolition or refurbishment of all land and property within the site. The properties in question represent a significant portion of the site as shown in Appendix 1 and without them, the planning consent could not be delivered.</p>		

	<p>The burnt out property is in an advanced state of dereliction and refurbishment is not considered to be an appropriate or viable alternative.</p> <p>The need for an indoor market is considered limited in this area. It is the Council's contention that if the former use was commercially viable there is no reason for the operation to have ceased, or indeed resumed the building is not considered to be of the right quality and layout to easily accommodate other uses.</p> <p>The layout of the two properties creates an alleyway between the two Plots and the Snooker Club to the rear (outside of the redline boundary), this is currently informally gated and is prone to anti-social behaviour. It is one of</p>		
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	<p>number of informal thoroughfares through the site that are poorly maintained and secluded.</p> <p>In the new redevelopment proposals this area will be reserved for back of house servicing of the new retail units, whilst preserving secure access to the neighbouring Snooker Club.</p>		
Objection	Response	Assumed Impact	Mitigation
<p>Viability</p> <p>The SofR states that the Council have obtained funding totalling £12,049,547 for Dinnington, however no information has been provided within the SofR to demonstrate that the scheme proposed is viable, including that the Council's proposed development is the best use of public funds, that there is</p>	<p>Information set out in this Statement of Case demonstrates the viability, of the scheme in terms of the availability of funding, commercial demand and deliverability.</p>		

<p>sufficient funding for acquisition, that there is commercial demand for the proposed development etc. The Council recognise this information is required (Paragraph 10.3 and 11) however substantial further information is required for the Council to demonstrate a realistic prospect of viability and delivery</p>			
<p>Deliverability</p> <p>The planning consent which has been granted, and upon which the scheme is advanced, is subject to 20 conditions. No information has been provided within the SofR as to how, or when these conditions will be discharged. Whilst it is accepted that some are standard, others are not. This</p>	<p>Phase 1 desktop site investigation reports have been undertaken. Phase 2 intrusive site investigations have been undertaken albeit that some landowners, including the Objector, withdrew consent for the Council to undertake surveys after it had previously been given.</p> <p>The findings of both reports were used for the basis of the</p>		

includes a requirement to undertake further site investigations and submit appropriate remediation strategies. On this point alone, it is not clear as to whether the ground conditions are suitable for the proposed scheme and/or within the development costs proposed.	<p>Civil/Structural engineers RIBA Stage 3 design assumptions, and they have confirmed that the report provides sufficient surety for the proposed foundation types.</p> <p>Further the Council's appointed cost consultants have mitigated any cost risk by including a contingency within their cost plan.</p> <p>Therefore the objector is incorrect to suggest that the ground conditions may not be suitable or that the scheme cannot be accommodated within the budget.</p>		
The SofR state (Paragraph 13.3) that the Council have yet to appoint a contractor for the development. In the absence of a contractor the Council cannot demonstrate that the scheme will be delivered. The	This Statement of Case sets out the steps taken by the Council to procure a contractor with market engagement and an expression of interest having been undertaken in June 2024 clearly demonstrating market interest in the scheme. The		

making of a CPO is therefore premature.	<p>fact that a contractor is not appointed at present does not present an impediment to the delivery of the scheme.</p> <p>The Council considers that it is in the best interest of the project to align the development of the design and contractor appointment with the progression of land acquisition. This approach ensures the project continues to progress within the funding timescales, ensuring the development of design to RIBA Stage 4 while continuing work on the acquisition of land.</p>		
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Objection: Plot 5			
Objection	Response	Assumed Impact	Mitigation
<p>Lack of a Compelling Case in the Public Interest</p> <p>The Council asserts that the CPO is essential for economic, social, and environmental regeneration. However, the necessity of acquiring our client's property has not been substantiated with evidence that less intrusive/disruptive means of achieving these goals have been fully considered. The proposed scheme's public benefits are speculative and do not outweigh the adverse impact on existing businesses, particularly our client's, which has demonstrated resilience and continued contribution to the</p>	<p>This Statement of Case sets out the Council's justification for the exercise of its compulsory purchase powers. It explains the options that have been explored in relation to lesser or alternative land acquisition and why wholesale intervention is required.</p> <p>The land in question sits to the rear of the block of units fronting Laughton Road and takes up a significant amount of open space. The permanently fixed markets stalls are a regular site for anti-social behaviour which is acknowledged by the Objector. The convoluted layout, relative seclusion and lack of natural surveillance result in an unwelcoming and intimidating</p>	<p>Acquisition by the Council could potentially impact on the market operator through them ceasing to operate in the town.</p>	<p>The Council has and will continue to engage on the site acquisition. The Council considers that a compensation code settlement will adequately address the financial impact of the acquisition on the Objector's interests.</p> <p>The Scheme proposed retains the market offer as an integral part of the development, albeit in an improved location which also allows for other uses when the market is not in operation. The Council considers that the market operator has a good opportunity to manage a refreshed open market offer in a much improved environment and location in a revitalised town</p>

<p>local economy for over 26 years, despite being blighted by anti-social behaviour.</p>	<p>section of this part of the town centre.</p> <p>The current open market being situated immediately adjacent to the transport interchange is a very poor key gateway to the town centre.</p> <p>The benefit of an outdoor market to the community is recognised by the Council and has been raised in public consultations.</p> <p>The continued provision of an open market is a key element of the redevelopment scheme, indeed the Council has a desire and ambition to extend the market offer in a new and more accessible setting.</p> <p>The Council understands that the Objector operates several markets including Dinnington.</p>		<p>centre and has engaged with the operator on this basis.</p> <p>Initial discussions were had on the basis that the land acquisition would be taken forward independently of discussions for the future market operation. Gateley Hamer are attending to the discussions with the Objector's agent for the Plot 5 purchase, the Council's inhouse Property Services team are dealing with the Objector's consultant regarding future operation of the demountable market offer post scheme delivery.</p> <p>The Council acknowledges that the business model will be different and potentially unfamiliar to what the Objector is used to and the Council is happy</p>
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	<p>The Objector currently trades 1 day per week for 5.5 hours. The Council's proposal and that which formed the basis for discussions with the market operator (the Objector) is to purchase and manage the land while also providing the market operator with the option of trading under a licence. The Council considers this would be in the public interest and of public benefit as it will ensure the space can be re-sited while maintaining the market's offer and the ability of the objector to operate it and would increase the opportunity for the market to trade whilst also attracting other events to the town.</p> <p>The current market site and the market operations themselves are an important part of the redevelopment scheme. Its current</p>		<p>to support this transition through the same support it offers to all Rotherham businesses.</p> <p>The compensation code would enable a comprehensive settlement on extinguishment terms if the Objector elects not to engage on the opportunity to operate the future market offer.</p> <p>The Council remains willing to agree on a consensual basis mutually satisfactory terms with Paylet for the future operation of the demountable market.</p>
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	form, location and condition detracts from the town centre and epitomises the need for the Dinnington town centre regeneration.		
Objection	Response	Assumed Impact	Mitigation
<p>Inadequate Consultation and Engagement</p> <p>While the Statement of Reasons claims extensive public consultation, our client's direct experience contradicts this somewhat. Our client does not feel that they have been meaningfully engaged in discussions regarding alternative solutions or given an adequate opportunity to influence the proposals affecting their property. The consultation process lacked</p>	<p>Engagement commenced with the Objector in June 2022 before the Levelling Up funding was secured.</p> <p>Mitigations in the previous section sets out the Council's engagement with the Objector and the Council's willingness to further discussions with the Objector to operate the demountable market to be operated in the new town square.</p> <p>The new demountable market offer will be materially different to the current permanent open market, which as set out in this Statement of</p>		

<p>transparency, and feedback mechanisms were insufficient to reflect the interests of existing landowners, particularly our client.</p> <p>Our client believes that, as a key stakeholder and an experienced market operator (in the form of Paylet Ltd), they—together with their expert retail consultants—have not been sufficiently engaged by the Council in the planning, design, and proposed post-scheme delivery of the redeveloped market. They respectfully note that, based on their experience during the concept stage, the market design appears to have been driven primarily by architects and design consultants</p>	<p>Case is a suboptimal use of a town centre location prone to vandalism and antisocial behaviour.</p> <p>As also explained in the previous section, engagement has been on two principal fronts. Mike Evans at The Retail Group is a consultant of Paylet and has been coordinating matters with the Paylet Managing Director, Maurice Nixon. The market manager, Nigel Tatton has been involved in day to day administration at a local level.</p> <p>An offer to purchase was made by Gateley Hamer on 23 October 2023. In November 2023, Paylet instructed the Retail Group to represent it in relation to discussions on the operation of the future market offer. As previously set out, these discussions are being progressed between the Council's</p>		
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<p>lacking relevant market expertise, rather than being developed in consultation with them as seasoned market operators. Additionally, they feel that the proposed designs have been presented as a fait accompli, without meaningful opportunities for their input or collaboration</p>	<p>in-house asset management team and The Retail Group.</p> <p>Following an initial meeting with The Retail Group early in 2024, it was agreed that discussions regarding the future market operation would be taken forward with inhouse Rotherham Council Property Services team, on the basis that they will be responsible for operating the redevelopment area post completion.</p> <p>It was accepted and understood at that meeting that the Council would need to acquire the current market site from Paylet whether or not ultimately Paylet operate the new market. On this basis in March 2024, Paylet instructed Stephen Rutledge of Langley Brook Chartered Surveyors to represent it in discussions with Gateley Hamer</p>		
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	<p>regarding the acquisition of the existing market site, Plot 5. Offers and counter-offers have been exchanged and discussions are ongoing.</p> <p>While the Council recognises the benefit of an outdoor market provision it considers that permanent market stalls that are used for half a day once per week is a poor utilisation of town centre land that provides no public benefit outside of market day and is in addition in an area that is prone to frequent anti-social behaviour and vandalism.</p> <p>The objective for the public realm in the approved scheme is to create a flexible space, one which may be used for the provision of a temporary demountable market as well as events and general space</p>		
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	<p>for the public to enjoy. It is appropriate that architects and landscape designers with a wealth of experience in multi-functional spaces are used in the design process, not just those with experience of markets.</p> <p>The Retail Group was consulted on the design in March 2024 and the Council's inhouse market team which operates markets across the Borough, has also influenced the design. Designs are developed to RIBA Stage 3 and there is further opportunity to influence the design of market stalls, storage etc as detailed design progresses. However, the Council considers the proposed design in its new location with demountable storage and dedicated storage space and toilet provision for traders will be a</p>		
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	considerable improvement on the existing offer.		
Objection	Response	Assumed Impact	Mitigation
<p>Failure to Demonstrate that Negotiations Were Exhausted</p> <p>The CPO guidance emphasises that compulsory acquisition should be a last resort. Despite claims of ongoing negotiations, the Council did not genuinely exhaust all reasonable efforts to acquire our client's property through voluntary agreement. Offers made were inadequate and did not reflect the true value of the property or the operational disruption the acquisition would cause. It is acknowledged that matters of</p>	<p>Gateley Hamer has and will continue to seek to acquire by agreement on a consensual basis. On 4th April 2025 Gateley Hamer submitted by email to Mr Rutledge comprehensive details of transactional evidence supporting the Council's offer to purchase.</p> <p>The Council notes and agrees with the Objector's acknowledgement that disputed compensation is not a matter to be considered by an Inspector appointed by the Secretary of State in deciding whether to confirm an Order.</p> <p>The Council wishes to continue negotiations and reach a</p>		

<p>value and compensation are matters for the Tribunal and not grounds for objection at this stage.</p> <p>The key point is that negotiations take time. Property owners who are not otherwise considering a sale—and are, by definition, unwilling sellers—understandably require sufficient time to evaluate offers made by an acquiring authority for the purchase of their land. In this case, the Council has presented offers that our client considers unsatisfactory, as they are based on hypothetical investment valuations rather than being supported by actual market evidence.</p>	<p>satisfactory conclusion that will deliver the benefit to the public of a safe, well-maintained space with a growing market offer.</p> <p>The Council acknowledges that CPO is the avenue of last resort and the Council's agent, Gateley Hamer continues to negotiate terms throughout this process. Paragraph 2.8 of the CPO Guidance encourages acquiring authorities to commence the compulsory purchase process in parallel with negotiations on the basis that delaying the start of a CPO process can result in valuable time in progressing a project being lost. It was therefore appropriate and in accordance with the Guidance to commence the CPO process whilst continuing to seek to negotiate agreements with landowners.</p>		
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<p>The inclusion of real-world transactional data during negotiations would have significantly aided our client's decision-making process by the time the Council moved to make the CPO. It is a matter of fact that negotiations between our client and the Council had not been exhausted at the time the CPO was issued. Negotiations remain ongoing, and our client has consistently demonstrated a commitment to achieving an equitable outcome for all parties involved. This commitment remains.</p>	<p>The diverse and significant number of interests acquired to date on a consensual basis demonstrates the willingness of the Council to agree equitable terms to purchase, which will it continue to do throughout the process.</p>		
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Objection	Response	Assumed Impact	Mitigation
<p>Viable Alternatives Not Adequately Considered & Absence of Necessity</p> <p>The Council's Statement dismisses alternative regeneration strategies without sufficient analysis. Our client believes that the proposed development could have been reconfigured to minimize displacement of existing businesses. No substantive evidence has been provided to suggest that partial redevelopment, or other less disruptive plans, were seriously evaluated. The Council has not demonstrated a compelling need to acquire our client's property compulsorily. Alternative solutions that do</p>	<p>This Statement of Case sets out the Council's justification for making the CPO, the options that have been explored in relation to lesser or alternative land acquisition and why only a wholesale intervention will achieve the place making ambitions that Dinnington needs and deserves.</p> <p>Permanent market stalls used for only half a day once per week is considered by the Council to be a poor utilisation of town centre land and provides no public benefit outside of the 5.5 trading hours.</p> <p>Plot 5 is a significant element of the scheme both quantitatively and environmentally. It connects the high street to the bus interchange. It is a vital piece of land to deliver</p>		

not require the acquisition of our client's land have not been adequately explored or presented and to that extent there is an absence of necessity with this CPO.	the scheme for which the Council has planning consent.		
Objection	Response	Assumed Impact	Mitigation
<p>Disproportionate Impact on Property Rights</p> <p>The CPO disproportionately infringes upon our client's property rights under Article 1 of Protocol 1 of the European Convention on Human Rights. The economic harm, loss of business goodwill, and disruption to our client's business operations, in their opinion, exceeds the speculative and long-term purported public benefits claimed by the Council. The loss of our client's property</p>	<p>The Council accepts that the landowner's Article 1 Protocol 1 rights will be impacted by the scheme but it considers that this is justified on the basis of the compelling case in the public interest to deliver this regeneration development.</p>		

will cause undue hardship to them, and the Council has not provided sufficient evidence that the public advantage justifies this impact.			
Uncertainty Regarding Funding, Deliverability and Viability Although the Council cites secured funding in the form of levelling up funding, the long-term viability and full financing of the scheme remain uncertain.	This Statement of Case sets out the deliverability and viability of the scheme. The funding for the project is secured through a Memorandum of Understanding with Government and the Council's own governance arrangements		
Objection	Response	Assumed Impact	Mitigation
Retail Despite Purported 'Market Failure': The reliance on future commercial uptake revolving around new commercial retail units when the Council points to market	In this instance market failure is considered, by the Council and supported by its commercial advisors to have been brought about by fragmented management, degraded property and aging and		

failure of this area, which is made up of commercial retail units, casts some doubt on the deliverability and long term sustainability of the purported benefits.	<p>unsuitable design which has led to degradation and obsolescence of the assets on the site. The scheme does not propose to drastically change the quantity of provision, only the quality, design and layout to make a more accessible and better maintained environment. The condition of the current market offer can be seen at Appendix 2.</p> <p>A commercial assessment of the scheme has been undertaken at various points during the development of the project and supports the Council's opinion of the commercial viability of the scheme.</p>		
Objection	Response	Assumed Impact	Mitigation
<p>No Contractor Appointed:</p> <p>At the time of confirming the CPO, it is understood that no contractor had been appointed to deliver the</p>	<p>This Statement of Case sets out the steps taken by the Council to procure a contractor with market engagement and an expression of interest having been undertaken in</p>		

<p>proposed scheme. This raises significant concerns regarding the viability, deliverability, and necessity of the compulsory acquisition. The absence of an appointed contractor at the confirmation stage undermines the acquiring authority's ability to demonstrate a clear, realistic, and fully developed plan for the implementation of the scheme. This lack of certainty conflicts with established principles governing the use of compulsory purchase powers, which requires the acquiring authority to provide sufficient evidence of a reasonable prospect of the scheme's delivery within a justifiable timeframe.</p>	<p>June 2024 clearly demonstrating market interest in the scheme.</p> <p>The Council considers that it is in the best interest of the project to align the development of the design and contractor appointment with the progression of land acquisition. This approach ensures the project continues to progress within the funding timescales, ensuring the development of design to RIBA Stage 4 while continuing work on the acquisition of land.</p>		
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Furthermore, the absence of an appointed contractor calls into question the acquiring authority's preparedness and the likelihood of the project proceeding as intended. Without detailed construction plans, timelines, and cost assessments provided by an appointed contractor, it is challenging to assess the true necessity and proportionality of the compulsory acquisition.			
Planning Condition – Phase 2 Ground Investigation: The planning consent for the scheme imposes a condition requiring the undertaking of a Phase 2 ground investigation. Such an investigation is a critical step in establishing the geotechnical viability and	Phase 1 site investigation desktop reports have been undertaken. Phase 2 intrusive site investigations have been undertaken albeit within a limited capacity due to the limited access afforded to the Council due to some private landowners.		

<p>consequently the overall feasibility of the works. However, as of the confirmation of the CPO, no evidence or report confirming that this Phase 2 ground investigation has been conducted or its findings reviewed and planned for has been provided. This raises significant technical concerns:</p> <p>Risk to Scheme Viability: The absence of documented evidence from the required ground investigation introduces a material risk regarding the stability and safety of the proposed development. Without this investigation, key factors such as ground conditions, potential subsidence, or contamination issues, remain</p>	<p>The findings of both reports were used for the basis of the Civil/Structural engineers RIBA Stage 3 design assumptions, and they have confirmed that the report provides sufficient surety for the proposed foundation types. Further the Council's appointed cost consultants have mitigated cost risk by including a contingency within their cost plan.</p>		
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<p>unassessed, potentially jeopardizing the successful delivery of the project.</p> <p>Non-Compliance with Planning Consent Conditions: The condition stipulated within the planning consent to undertake a Phase 2 ground investigation is in essence a prerequisite for ensuring that the technical aspects of the project are viable.</p> <p>Implications for Public Interest and Financial Risk: Undertaking compulsory purchase without conclusive evidence of the ground investigation exposes the public and financial stakeholders to significant risks. Unforeseen geotechnical issues could</p>			
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result in substantial delays, increased costs, or even render the project unfeasible, ultimately impacting the public interest that the CPO is intended to serve.			
Objection	Response	Assumed Impact	Mitigation
<p>Viability:</p> <p>It would appear that no evidence of the scheme's viability was provided at the time the CPO was confirmed. A central principle in the use of compulsory purchase powers is the demonstration of a viable and deliverable scheme. In this instance, the absence of any documentation or evidence confirming the viability of the proposed scheme raises serious concerns regarding its</p>	<p>The Order has not yet been confirmed.</p> <p>This Statement of Case demonstrates the viability, of the scheme in terms of the availability of funding, commercial demand and deliverability of the scheme.</p> <p>Commercial demand has been confirmed by the Council's agents, and is further evidenced by the number of traders that wish to remain in the town and take up space in the new development</p>		

<p>practical implementation. Without clear evidence, including detailed plans, financial assessments, timelines, and feasibility studies, it is not possible to fully ascertain whether the project is both necessary and achievable within a reasonable timeframe.</p> <p>The confirmation of a CPO in the absence of such critical evidence appears premature and calls into question the underlying justification for the compulsory acquisition. We respectfully assert that the acquiring authority has not met the necessary burden of proof regarding the project's viability, which is a material factor in ensuring that the</p>	<p>The scheme is developed to Stage 3 design and costs and supported by the Council's appointed consultants Turner Townsend and AHR Architects. This professional advice is considered sufficient to base the current budget upon. The funding having been approved through the Council's governance processes and a supporting Memorandum of Understanding from Government</p>		
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compulsory purchase is both proportionate and justified			
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Objection: Plot 9 – Cobani Property Limited			
Objection	Response	Assumed Impact	Mitigation
The Property was bought as a long term investment and our Client relies on the income it generates to support his living.	Whilst compensation is not an issue to be taken into consideration by the Secretary of State in considering whether to confirm an Order, the Council considers that a compensation code settlement will adequately address the impact of the acquisition of the Objector's interests.	It is acknowledged that if the property is acquired the Objector will no longer receive the rental income derived from the investment lease.	<p>The Council considers that a compensation code settlement will adequately address the impact of the acquisition of the Objector's interests.</p> <p>The Objector is professionally represented, and the Council expects to agree matters on a shadow compulsory purchase basis in accordance with the Compensation code, this will include prospective reinvestment costs in accordance with statutory entitlements</p>
Our Client has spent significant internal costs refurbishing the Property	Whilst compensation is not an issue to be taken into consideration by the Secretary of State in		

<p>which is fully let on a secure tenancy.</p>	<p>considering whether to confirm an Order, the Council considers that a compensation code settlement will adequately address the impact of the acquisition of the Objector's interests.</p> <p>The unit in question is let at a headline rent for the block. The refurbishment works referred to are assumed to have aided and underpinned the level of rent that has been achieved, and this will be reflected in the assessment of value for the interest to be acquired be that on a shadow basis in advance of confirmation or under a confirmed Order.</p> <p>The statement does not appear to be to be an objection to the confirmation of the Order. It is stating a fact that will be taken into</p>		
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	consideration in the Rule 2 assessment.		
Objection	Response	Assumed Impact	Mitigation
The Property is not proposed to be demolished as part of the Dinnington Market Place and is structurally sound for retention and does not fall within 10.11.3 of the Statement of Reasons (the Statement) issued by RMBC.	<p>The Council do not feel the solution offered by the objector to be viable or in the best interest of the scheme.</p> <p>In line with the Council's commercial advice a wholesale ownership is preferred. Stating that the Council's control of all property will ensure better safety, maintenance, management and tenant mix.</p> <p>The Council considers the proposal being put forward by the Objector to be unworkable and commercially unviable.</p>		
RMBC commissioned a building survey of the Property which has not been disclosed for consultation to	The Council will provide details of the building and condition surveys that have been undertaken which		

<p>allow the opportunity to challenge its detail and weight upon which the Order is relying.</p> <p>The condition of the roof has been identified by RMBCs agent as one of the main reasons for the Property to be acquired which is considered wholly unreasonable and does not have sufficient weight to enforce acquisition of the property in its entirety. We have not inspected the roof and are not aware of its condition. Our Client has offered to contribute towards the reasonable cost of repairing /renewing the section of roof covering his premises which has been dismissed by RMBC as an option.</p>	<p>demonstrate the poor condition of the block.</p> <p>It should be noted that the occupier of the unit was uncooperative and elusive when the Council's building surveyor was seeking access to undertake condition surveys. However, the external elements that could be inspected were found to be typical of the rest of the block.</p> <p>It is noted that the Objector does not have firsthand knowledge of defects affecting the building, which include, but are not limited to the roof alone.</p> <p>As explained above the Council considers the proposal being put forward by the Objector to be unworkable and commercially unviable</p>		
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A specific program of works for the proposed refurbishment have been requested and not provided by RMBC nor have we seen detailed proposed plans.	As explained above the Council considers the proposal being put forward by the Objector to be unworkable and commercially unviable.		
Contrary to paragraph 10.3 and 10.12 of the Statement, RMBC has refused outright to engage with our Client on his request to pay for his share of the refurbishment costs to his Property which would enable him to retain the Property and to keep his tenant in the premises thereby supporting two livelihoods upon which the Property supports.	<p>As explained above the Council considers the proposal being put forward by the Objector to be unworkable and commercially unviable</p> <p>Furthermore, the Council considers that a compensation code settlement will address the impact of the acquisition on the Objector's interests.</p>		A compensation code settlement is based on the principle of equivalence. As such, the Objector will receive compensation to put him in an equivalent financial position that he was in prior to the compulsory acquisition. In the case of an investment interest holder the settlement will be sufficient to enable the claimant to acquire an equivalent replacement investment property. This includes

			relevant reinvestment costs in accordance with s,10A Land Compensation Act 1961.
Contrary to paragraph 10.3 and 10.12 of the Statement, RMBC have refused to allow our Client to retain ownership and for the tenant to temporarily vacate (if required) while the refurbishment works are undertaken which has been put forward to RMBC as an option. We believe this is option is achievable and has been dismissed by RMBC being contrary to 10.14 of the Statement	As explained above the Council considers the proposal being put forward by the Objector to be unworkable and commercially unviable		
Further to paragraph 8 above the existing design of the Property is considered appropriate and suitable with good high street presence	The statement is subjective and reflects the reality of Dinnington now. The Council is proposing a placemaking scheme of improvements the like of which		

and is excluded from the statement "most of the existing buildings on site have poor street presence.." as stated in 10.15 of the Statement.	would not happen if left to market forces. The statement quoted notes the " most of the buildings on the site have poor street presence", not all . Nevertheless, while some buildings do indeed front the high street their condition and that of surrounding buildings creates a poor presence.		
Contrary to paragraph 10.3 and 10.12 Of the Statement, RMBC have refused to negotiate with our Client for him to acquire one of the proposed newly constructed premises to be built as part of the Dinnington Market Place in lieu of his own being acquired.	The full letting strategy for the new units is being developed. However it is the Council's intention to retain ownership of all units thus preventing the piecemeal ownership and maintenance of the land and property which currently blight the area. Therefore, sale of the units to the private sector is not considered appropriate. This approach is supported by the Council's commercial advisors.		

With reference to the Equality Impact Assessment stated at 14.2 of the Statement this was issued relatively recently in December 2024 and not " at each development stage..." as stated in	It is the Council's policy to undertake EQIAs at each decision stage in the development of any project. EQIAs were undertaken upon each approach to Cabinet and every associated exercise of officer delegation.		
The offers of compensation made by RMBC's agent to acquire the Property do not meet the investment value and return which our Client currently benefits. Our Client is unable to find a replacement property on a like for like basis which offers the same level of investment.	The Council via its agent Gateley Hamer has and shall continue to seek to negotiate a purchase of the property interests in accordance with the compensation code. As has already been mentioned the Objector has not engaged in any meaningful way with the Council's agent for a sale of the investment lease or the occupation lease, focusing instead on a desire to retain ownership of the leasehold interests which for the reasons already stated lacks commercial credibility.		

	Compensation is not a matter to be considered by the Secretary of State in confirming the Order.		
RMBC are therefore ignoring our Client's proposals and requests for him to contribute towards the refurbishment of the shop in an attempt to retain the Property. RMBC seek to acquire the Property (predominately on the premise of a new), dispossess the tenant and relet as their own investment which is considered incompatible with the European Convention on Human Rights.	As explained above the Council considers the proposal being put forward by the Objector to be unworkable and commercially unviable.		

Objection: Plot 9 – Ahmet Gungor t/a Vegas Barbers			
Objection	Response	Assumed Impact	Mitigation
Contrary to paragraph 10.3 and 10.12 of the Statement, RMBC have refused to allow our Client to temporarily vacate the property (if required) while the refurbishment works are undertaken which the owner has put forward to RMBC as an option. We believe this option is achievable and has been dismissed by RMBC being contrary to 10.14 of the Statement.	<p>The Objector has thus far failed to respond to any attempts made by the Council or its agents in relation to access for surveys or progressing discussions to acquire the under leasehold interest.</p> <p>The Council would welcome the opportunity to discuss a relocation of the Objector and potentially maintain a presence in Dinnington.</p> <p>As is clear from the objections that have been made by the head leaseholder, emphasis has been on the head leasehold and under leasehold interests being preserved and the current landlord and tenant relationship maintained. For the reasons already stated, given the significant refurbishment works</p>	<p>In the event that the Objector's under lease is acquired the Council will explore opportunities to retain the business in the town.</p> <p>It is essential that the Objector and his agent engage with the Council's agent to address the scheme specific impact on the Objector and his business without the apparent current agenda to maintain the existing lease structure and current landlord and tenant interests.</p>	The Council's agent will seek to progress matters with the Objector's agent, who is also agent for the head leaseholder.

	required to the block, the scope for that is expected to be impractical and unviable for the leases to remain.		
The existing design of the property is appropriate and suitable for our Client's existing business with a good high street presence and excluded from the statement "most of the existing buildings on site have poor street presence .." as contained in 10.15 of the Statement.	<p>The Council is proposing a placemaking scheme of improvements the like of which would not happen if left to market forces.</p> <p>The statement quoted notes the “most of the buildings on the site have poor street presence”, not all. Nevertheless while some buildings do indeed front the high street their condition and that of surrounding buildings creates a poor presence.</p> <p>The statement fails to reflect the fact that the fabric of the property is in a poor state and requires extensive and intrusive refurbishment.</p>		

	<p>However, if the Objector and his agent is prepared to engage with the Council and its agent the Council is prepared to explore what opportunities there may be for the Objector to maintain a presence in Dinnington.</p> <p>The Council's agent will seek to progress matters with the Objector's agent.</p>		
With reference to the Equality Impact Assessment stated at 14.2 of the Statement this was issued relatively recently in December 2024 and not at each development stage..." as stated in 14.3 of the Statement as such our Client has not been assessed	It is the Council's policy to undertake EQIAs at each decision stage in the development of any project. EQIAs were undertaken upon each approach to Cabinet and every associated exercise of officer delegation.		

<p>RMBC have ignored the property owner's proposals to pay reasonable costs towards the Property's refurbishment in an attempt to retain the property and maintain our Client's business where it is. The Order will result in our Client being dispossessed from the property with nowhere to relocate his business to on a like for like basis. The Property is currently well suited to being used as a barbers shop which is a well-established profitable business. Finding a similar property elsewhere will prove extremely difficult not least expensive to start up again without losing customers and goodwill which has been built up over many years. RMBC having rejected our Client</p>	<p>The Objector has thus far failed to respond to any attempts made by the Council or its agents in relation to access for surveys or progressing discussions to acquire the under leasehold interest.</p> <p>The Council would welcome the opportunity to discuss a relocation of the Objector and potentially maintain a presence for the business in Dinnington.</p> <p>The difficulty for the Council in what has consistently been requested by the agent acting for both interest holders is to maintain the present lease structures and landlord and tenant relationship.</p> <p>The Council's agent will seek to progress matters with the Objector's agent.</p>		
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<p>from having the ability to occupy a similar shop within the Dinnington Market Place on same terms and security as current is considered incompatible with the European Convention on Human Rights. As such our Client has the right for a fair trial under Article 6 (1) of the Convention. Contrary to 10.18 of the Statement, we feel there is not a compelling need nor justification to acquire the Property in this instance which in turn will unnecessarily dispossess our Client when not least the Property owner has offered to pay his reasonable share for the Property to be refurbished in order for our Client to remain and continue to run his</p>			
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business at the Property as tenant.			
Objection: Plot 1 – South Yorkshire Mayoral Combined Authority			
Objection	Response	Assumed Impact	Mitigation
<p>SYMCA does not object to the purpose of the Compulsory Purchase Order but is of the opinion that the purchase of SYMCA's right of maintenance is not required for the proposed redevelopment of the land to progress as planned.</p> <p>On that basis SYMCA requests that the Compulsory Purchase Order be modified to exclude SYMCA's right to maintain the sewer from the interests being purchased.</p>	<p>The Council have issued a signed letter of comfort to SYMCA confirming the Council will not impede or restrict SYMCA's rights.</p> <p>SYMCA have confirmed they will withdraw their objection.</p>	<p>The letter has been agreed between the respective parties, it is expected that SYMCA will withdraw its objection in early course.</p>	<p>The Council has already acquired the freehold interest of the Plot 1 land that is subject to the SYMCA easement.</p> <p>The development will not impact on any infrastructure within the thoroughfare.</p>

21. LEGAL STATUS OF THIS STATEMENT

- 21.1. This Statement of Case is a statement under Rule 7 of the Compulsory Purchase (Inquiries Procedure) Rules 2007. The Acquiring Authority reserves the right to alter or expand it as necessary.

22. ADDITIONAL INFORMATION

- 22.1. For any enquiries related to the CPO the first point of contact at the Acquiring Authority is:

Legal queries

Lesley Tattersall, Solicitor

lesley.tattersall@rotherham.gov.uk or legal.property@rotherham.gov.uk

Tel: 01709 254727

- 22.2. Owners and tenants of properties affected by the CPO who wish to negotiate a sale or discuss matters of compensation should contact:

David Strafford, Gateley Hamer, david.strafford@gateleyhamer.com,

Tel: 07788 312424

- 22.3. A copy of this Statement of Case and the documents to which it refers are available for inspection at all reasonable hours at the Council's Offices at Riverside House, Main Street, Rotherham, S60 1AE and at Dinnington Community Library, Laughton Road, Dinnington, S25 2PS.

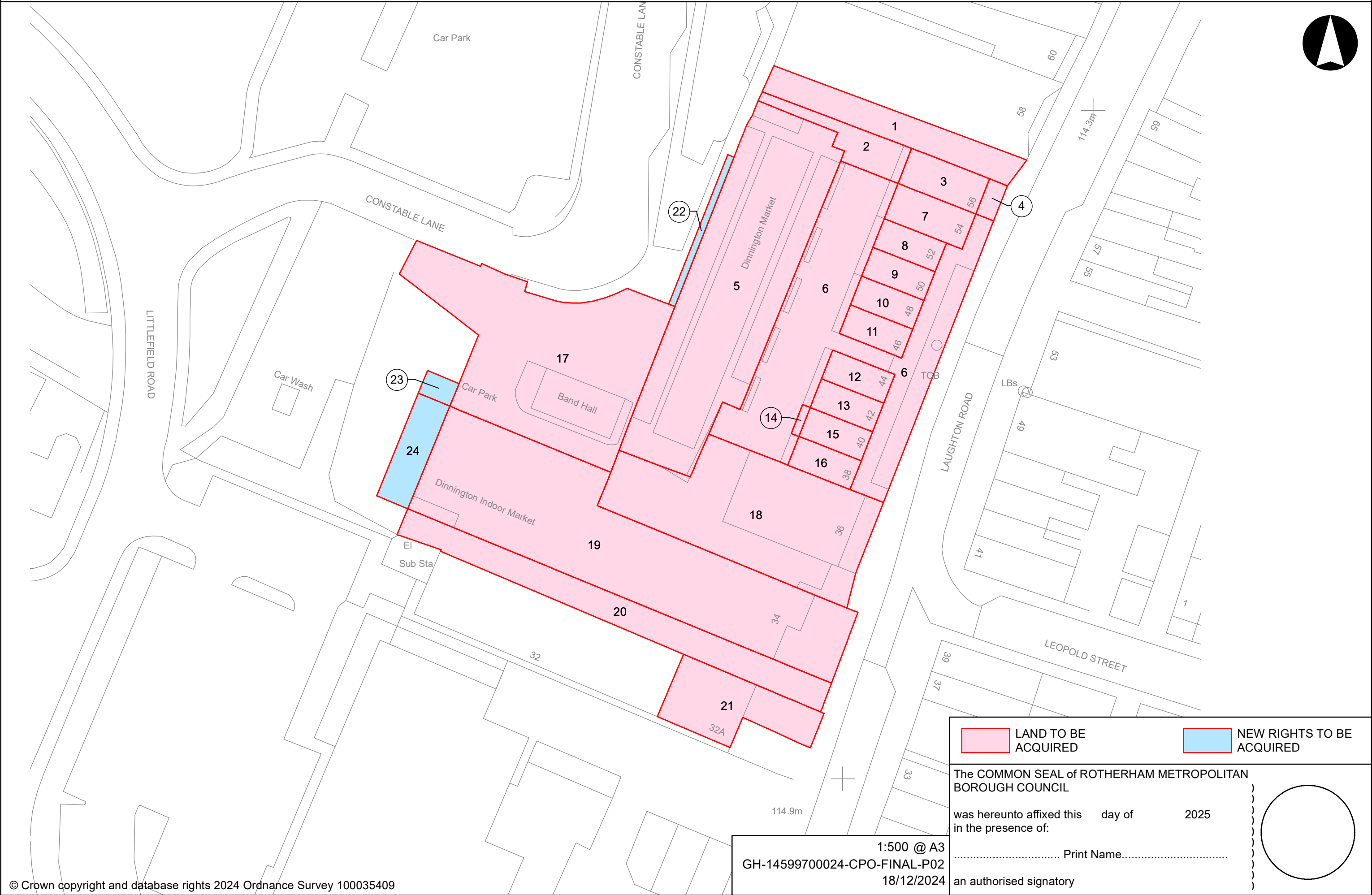
23. LIST OF DOCUMENTS

- 23.1. In the event of a public inquiry the Council/Acquiring Authority intends to refer or put in evidence the documents referred to overleaf. This is not an exhaustive list, and should there be a public inquiry the Council/Acquiring Authority reserves the right to refer to other documents as the required.



	Document	Date
1	Compulsory Purchase Order and Supporting Policy	
	The Rotherham Metropolitan Borough Council (Dinnington Market Place) Compulsory Purchase Order 2025 and Map	January 2025
	Guidance on the Compulsory Purchase Process	January 2025
2	Planning Policy	
	National Planning Policy Framework	February 2025
	Local Development Plan documents: Rotherham Local Plan Core Strategy (2014); policies CS11, CS12, CS14, CS21, CS28, CS29; Rotherham Local Plan Sites and Policies (2018) SP19, SP20, SP21, SP32, SP55, SP59: Dinnington St John's Neighbourhood Plan policies STC1; STC2; BED2.	various
3	Other Documents	
	Council's Cabinet Reports: 7 August 2023; July 2024; October 2024	various
	Rotherham Place Based Investment Strategy	2023
4	Planning Permission	
	RB2024/0992 – Demolition of existing building and erection of pop-up market, commercial/community building, 6 commercial units, fully landscaped area of public realm to create new market square and refurbishment of remaining commercial units	13 September 2024
5	Legislation (relevant extracts)	
	Town and Country Planning Act 1990	
	Local Government (Miscellaneous Provisions) Act 1976	
	Human Rights Act 1998	
	The Acquisition of Land Act 1981	

APPENDIX 1 – SCHEME LAND

MAP REFERRED TO IN THE ROTHERHAM METROPOLITAN BOROUGH COUNCIL (DINNINGTON MARKET PLACE)
COMPULSORY PURCHASE ORDER 2025



1:500 @ A3
GH-14599700024-CPO-FINAL-P02
18/12/2024

	LAND TO BE ACQUIRED		NEW RIGHTS TO BE ACQUIRED
The COMMON SEAL of ROTHERHAM METROPOLITAN BOROUGH COUNCIL			
was hereunto affixed this day of 2025			
in the presence of:			
..... Print Name.....			
an authorised signatory			


APPENDIX 2 – EXISTING LAND & PROPERTIES IMAGES

2a Laughton Road (burnt out building) and 3a Laughton Road (unused indoor market). View from Laughton Road (High St)



Colliery Band building to the right of
image with indoor market behind.
Outdoor market stalls, parking and
refuse storage





Fixed market stalls
and rear 36-44
Laughton Road

Fixed outdoor market stalls to the rear of
Laughton Road. Pedestrian access from
Laughton Road to bus interchange



Rear 36-56 Laughton Road, outdoor market



APPENDIX 3 – PROPOSED SCHEME IMAGES

Aerial view of proposed
development as Planning
permission



Proposed new commercial units fronting Laughton Road



Proposed new commercial units fronting public realm



Proposed new units fronting public realm



APPENDIX 4 – EQUALITY IMPACT ASSESSMENT

Dinnington Compulsory Purchase Order Equality Impact Assessment

1. Introduction

In Spring 2023 Rotherham Metropolitan Borough Council was awarded funding from the then Department for Levelling Up, Homes and Communities Capital Regeneration Programme, in recognition of its bid into the Levelling Up Round 2 capital programme. The resultant scheme will see the delivery of an improved focal point on the Dinnington high street (known as Laughton Road) with improved public realm, space for an outdoor market and new and refurbished commercial units. The proposed scheme having gained Planning permission in September 2024.

Since August 2023 the Council has been negotiating to acquire the necessary land interests, however it has not been possible to reach agreement on some sites and therefore the Council seeks to make a Compulsory Purchase Order to acquire the remaining sites necessary to bring this regeneration scheme forward.

The decision to make the order, which was taken at Cabinet in October 2024, would principally result in:

- land/interests in land being compulsorily acquired from specific individuals
- potential extinguishment for some businesses or business relocation for others; and
- the facilitation of the delivery of the CPO scheme, which is the scheme for which planning permission is sought.

This Equalities Impact Assessment has been undertaken to demonstrate that the Council has fulfilled its obligations under the Equality Act 2010, specifically Section 149 which states:

A public authority must, in the exercise of its functions, have due regard to the need to:

- eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;*
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it;*
- foster good relations between persons who share a relevant protected characteristic and persons who do not share it.*

In all its endeavours in relation to the development and delivery of the Dinnington scheme, in the making of the CPO and any related decision-making the Council has shown due regard to the aims of the public sector equality duty and the defined considered the impact of such on individuals with the protected characteristics as set out in the Equality Act 2010;

Protected Characteristics being defined as:

- Age
- Disability
- Gender Reassignment

- Marriage and Civil Partnership (not assessed for the purpose of PSED)
- Pregnancy and Maternity
- Race
- Religion or Belief
- Sex
- Sexual Orientation

Reflecting that the provision in Section 149 does not specify a particular process for considering the likely effects of projects on different sections of society the Council has undertaken its own Equality Impact Assessments at various times during the project as set out below and summarises the various impacts in Section 4 of this assessment.

- Dinnington Capital Regeneration Project – May 2023
- Dinnington Town Centre Redevelopment Consultation – September 2023
- Dinnington Capital Regeneration Project (Implementation) – April 2024
- Approval of the use of Compulsory Purchase Powers – August 2024

Each of the above documents demonstrate that the Council has complied with the duty by providing a written record and taking into account equality considerations and ensuring that decision-making includes a consideration of actions that would help to avoid or mitigate any negative impacts on particular protected groups

They do this by;

- assessing whether one or more groups could experience disproportionate or differential effects as a result of the proposal being implemented;
- assessing both potential positive and negative effects; and
- Considering ways in which any negative effects could be removed or mitigated.

2. Scheme Summary

The purpose of the Order is to facilitate the demolition or refurbishment of disused, derelict aging and declining town centre buildings to pave the way for a town centre redevelopment which comprises modern commercial space, landscaped town square including a demountable market offer, with associated storage unit, car parking, and servicing capable of meeting the demands of a 21st Century local retail environment.

In recent years the land and buildings have been left to deteriorate to significant proportions, with major repair requirements which are not forthcoming while the site is in private ownership. While the rest of the high street is fairly well populated and footfall is relatively high the area around the development site is subject to anti-social behaviour, vacancies, poor accessibility and aging stock which detracts from the overall potential of the high street.

Delivery of the scheme, for which Planning has been obtained will include:

- 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.

3. Consultation and Engagement

To help inform the development of the Dinnington high street and market scheme, a series of public consultation and engagement events were undertaken with key stakeholders including local residents, businesses and community representatives. The aim of the engagement was to provide a clear understanding of the proposals and encourage stakeholders to participate and provide tangible feedback.

A database of stakeholders was established which included protected characteristic groups and consideration was given to how communications could be adapted to meet the stakeholders needs. This included offering one to one meetings although no requests were made.

Stakeholders:

- Older People's Forum
- Disability Access Group
- AccessAble
- Rotherham Sight and Sound
- Rotherham Ethnic Minority Alliance (REMA)
- Rotherham Parent & Carers Forum
- Rotherham Pensioners Action Group
- All Saints C Of E Primary School
- Laughton Junior and Infant School
- Dinnington Community Primary School
- St Joseph's Catholic Primary School
- Dinnington High School
- Newman Special School
- Elements Academy
- Dinnington Children's Centre
- Dinnington Colliery Old Boys
- CEAD (Supporting adults with learning disabilities)
- The History group
- JADE Centre Youth and Community Centre
- St Joseph's RC Church

- St Leonards Church
- The Bridge New Life Church
- Methodist Church Lunch Club
- St Johns Church
- Royal British Legion Dinnington District
- The Rainbow Project (LGBTQ+ charity)
- RMBC Participation Voice & Influence Coordinator
- United Multicultural Centre
- Rotherham Adult Neurodiversity Support Service
- Barnsley & Rotherham MIND
- LGBTQ+ Youth Group

Methods of communication were locally focused and included:

- Email – To Ward Members, MPs, Business Growth Board and Town Board
- Newsletters – Dinnington ward newsletter and the Council's Rotherham Roundup
- Press releases to local media outlets
- Newspaper adverts – Half page adverts in two local newspapers
- Social media – Council social media channels used to promote the consultation and engagement and encourage residents to participate
- Neighbourhood Coordinators – Posters, leaflets and general information distributed to neighbourhood coordinators for sharing in their wards
- Internal communications – Council staff newsletters and briefings
- Printed content - Posters and leaflets distributed throughout Dinnington and displayed in prominent locations including community buildings, shops, café's, surgeries and churches.

Consultation and engagement activity:

Date and location	Audience	Purpose	Attendance
Thursday 26 th October 2023, Dinnington High School, 5.30pm to 6.30pm	Key stakeholders in the Dinnington area	To share information on the project proposals and current site plan and timescales and gather feedback gathered for the public realm plans.	30 stakeholders
Thursday 26 th October 2023, Dinnington High School, 6.45pm to 7.45pm	Businesses affected by the redevelopment	To share information on the project proposals and current site plan and timescales and answer any queries.	7 businesses
Friday 27 th October 2023, Laughton Road	Residents, shoppers, businesses and visitors	Public information event to share details of the proposals and the current site plan and timescales and to gather feedback on public realm.	Approx 150 members of the public

Thursday 2 nd November 2023, Dinnington Resource Centre	Residents, shoppers, businesses and visitors	Public information event to share details of the proposals and the current site plan and timescales and to gather feedback on public realm.	26 people attended
Monday 18 March 2024, Lyric Theatre, 5pm to 6pm	Key stakeholders	In-person information event to show the updated plans, gather feedback and answer any queries.	19 key stakeholders
Monday 18 March 2024, Lyric Theatre, 5.30pm to 7pm	Businesses on Laughton Road affected by the redevelopment	In-person information event to show the updated plans, gather feedback and answer any queries.	4 businesses
Monday 18 March 2024, Lyric Theatre, 7pm to 8pm	Residents and general public	In-person public information event to show the updated plans and gather feedback.	60 people

Full details of the scheme were hosted on the Council's website which was displayed in an accessible format as part of standard Council practice.

At-a-glance findings:

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. Assessment of Impacts

The following assessment examines the impact of the CPO and its direct consequences ie on those with property interests. As well the indirect consequences of the new scheme versus the existing provision on the wider population of Dinnington as users of the high street.

The data is informed by the Dinnington Ward Profile, Census data and a questionnaire targeted specifically at those affected directly by the CPO.

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 under 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.

In summary 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.

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.

Characteristic	Indirectly Affected (Ward Profile)		Directly Affected	Potential Impacts	Mitigation
Age	16-24	1,206	1 property owner identified as being over the age of 65. Negotiations with this owner have been via their appointed agent	<p><i>Positive</i></p> <p>New business opportunities created to encourage social interaction.</p> <p>Refurbishment or creation of new buildings allows for modern premises which take into account new building standards for accessibility.</p> <p>Improved public realm creates safer spaces.</p> <p>Improved accessibility across the whole site increases surveillance and feelings of safety.</p> <p><i>Neutral</i></p> <p>The opportunity to relocate into the new scheme is open to all occupiers thus retaining existing services.</p> <p><i>Negative</i></p> <p>Where current businesses provided a sense of community or a source of social interaction, the redevelopment may disproportionately affect isolated, elderly populations before completion.</p>	<p>Ensuring older individuals operating businesses are offered needs-met relocation options, for example ground floor or mobility friendly designs.</p> <p>The new development should be designed to discourage antisocial behaviour creating a safer user experience for all ages and ensuring young people are provided with a social space.</p> <p>Offering businesses the option to relocate within close vicinity of their current premises or within the new scheme, aiming to prevent a loss of connection that elderly people might face.</p> <p>Owners and occupiers are offered compensation to enable relocation or reinvestment.</p> <p>Ensuring businesses do not close, unless through their own volition by providing the opportunity to relocate within</p>
	25-44	3,032			
	45-64	3,416			
	65+	2,433			

			<p>Where businesses accept compensation but choose not to relocate, customers with accessibility requirements may have to travel an increased distance to continue to access specific products or services.</p> <p>Loss of social space for young people potentially leading to antisocial behaviour.</p>	close proximity or temporarily during scheme development.
Disability	21.4%	<p>1 property owner identified as having a disability. Negotiations with this owner have been via their appointed agent who can ensure their needs are met</p>	<p><i>Positive</i></p> <p>New business opportunities created to encourage social interaction.</p> <p>Refurbishment or creation of new buildings allows for modern premises which take into account new building standards for accessibility.</p> <p>Improved public realm creates safer spaces.</p> <p>Improved accessibility across the whole site increases surveillance and feelings of safety.</p> <p><i>Neutral</i></p> <p>The opportunity to relocate into the new scheme is open to all occupiers thus retaining existing services.</p> <p><i>Negative</i></p>	<p>Ensuring individuals with relevant disabilities operating businesses are offered needs-met relocation options.</p> <p>Undertaking significant public realm improvements designed to meet the needs of this protected characteristic, improving safety and accessibility and removing the existing dangerous surfacing and hard to access areas.</p> <p>Offering businesses the option to relocate within close vicinity of their current premises or within the new scheme.</p> <p>Ensuring businesses do not close, unless through their own volition by providing the opportunity to relocate within</p>

			<p>Individuals with disabilities face more barriers to securing employment, therefore the potential risk of unemployment due to the relocating or closing down of their place of work due to the exercising of the CPO, could disproportionately affect disabled people.</p> <p>Where businesses accept compensation but choose not to relocate, customers with accessibility requirements may have to travel an increased distance to continue to access specific products or services.</p>	close proximity or temporarily during scheme development.
Gender Reassignment	The is a lack of available data on this characteristic	NA	<p><i>Positive</i></p> <p>New business opportunities created to encourage social interaction.</p> <p>Improved public realm creates safer spaces.</p> <p><i>Neutral</i></p> <p>The opportunity to relocate into the new scheme is open to all occupiers thus retaining existing services.</p> <p><i>Negative</i></p> <p>Where current businesses provided a sense of community or a source of social interaction, the redevelopment</p>	<p>The new development should be designed to discourage antisocial behaviour creating a safer user experience.</p> <p>Offering businesses the option to relocate within close vicinity of their current premises or within the new scheme.</p> <p>Ensuring businesses do not close, unless through their own volition by providing the opportunity to relocate within close proximity or temporarily during scheme development.</p>

				may disproportionately affect this characteristic. Where businesses accept compensation but choose not to relocate, customers may have to travel an increased distance to continue to access specific products or services.	
Pregnancy and Maternity	The is a lack of available data on this characteristic		NA	Positive New business opportunities created to encourage social interaction. Improved public realm creates safer spaces. Refurbishment or creation of new buildings allows for modern premises which take into account new building standards for accessibility. Neutral The opportunity to relocate into the new scheme is open to all occupiers thus retaining existing services.	The new development should be designed to discourage antisocial behaviour creating a safer user experience. Offering businesses the option to relocate within close vicinity of their current premises. Ensuring businesses do not close, unless through their own volition by providing the opportunity to relocate within close proximity or temporarily during scheme development.
Race	Asian, Asian British, Asian Welsh	0.8%	NA	Positive New business opportunities created to encourage social interaction. Neutral	Translation offered to all stakeholders who do not speak English as their main language.

	<table><tr><td>Black, Black British, Black Welsh, Caribbean, African</td><td>0.9%</td></tr><tr><td>Mixed or Multiple ethnic</td><td>1.4%</td></tr><tr><td>White</td><td>96.7%</td></tr><tr><td>Other</td><td>0.2%</td></tr></table>	Black, Black British, Black Welsh, Caribbean, African	0.9%	Mixed or Multiple ethnic	1.4%	White	96.7%	Other	0.2%		<p>The opportunity to relocate into the new scheme is open to all occupiers thus retaining existing services.</p> <p><i>Negative</i></p> <p>Where businesses accept compensation but choose not to relocate, customers may have to travel an increased distance to continue to access specific products or services.</p>											
Black, Black British, Black Welsh, Caribbean, African	0.9%																					
Mixed or Multiple ethnic	1.4%																					
White	96.7%																					
Other	0.2%																					
Religion of belief	<table><tr><td>Buddhist</td><td>0.30%</td></tr><tr><td>Christian</td><td>46.70%</td></tr><tr><td>Hindu</td><td>0.10%</td></tr><tr><td>Jewish</td><td>0.00%</td></tr><tr><td>Muslim</td><td>0.30%</td></tr><tr><td>No religion</td><td>44.60%</td></tr><tr><td>Not answered</td><td>4.60%</td></tr><tr><td>Other religion</td><td>0.30%</td></tr><tr><td>Sikh</td><td>0.10%</td></tr></table>	Buddhist	0.30%	Christian	46.70%	Hindu	0.10%	Jewish	0.00%	Muslim	0.30%	No religion	44.60%	Not answered	4.60%	Other religion	0.30%	Sikh	0.10%	NA	<p><i>Positive</i></p> <p>New business opportunities created to encourage social interaction.</p> <p>No aspects of the CPO or future redevelopment of the site will prevent individuals from practicing their religion or faith.</p> <p><i>Neutral</i></p> <p>The opportunity to relocate into the new scheme is open to all occupiers thus retaining existing services.</p> <p><i>Negative</i></p> <p>Where current businesses provided a sense of community or a source of social interaction, the redevelopment</p>	<p>Stakeholders were provided with the opportunity to provide information regarding their religion/beliefs to minimise disruption and ensure any existing connections to places of worship can be maintained through the exercising of Compulsory Purchase Order powers and any subsequent future arrangements.</p>
Buddhist	0.30%																					
Christian	46.70%																					
Hindu	0.10%																					
Jewish	0.00%																					
Muslim	0.30%																					
No religion	44.60%																					
Not answered	4.60%																					
Other religion	0.30%																					
Sikh	0.10%																					

			may disproportionately affect religious groups. Where businesses accept compensation but choose not to relocate, customers may have to travel an increased distance to continue to access specific products or services.	
Sex	Male	48.8%	NA	<i>Positive</i> New business opportunities created to encourage social interaction. Improved public realm creates safer spaces. Improved accessibility across the whole site increases surveillance and feelings of safety. The new development will feature increased safety measures which will minimise disadvantage for women, who are more vulnerable to gender-based violence. <i>Neutral</i> The opportunity to relocate into the new scheme is open to all occupiers thus retaining existing services. <i>Negative</i> Similarly, is there likely to be job losses in service or business which
	Female	51.2%		

			are likely to employ one sex more than the other, leading to disproportionate job losses.	
Sexual Orientation	The is a lack of available data on this characteristic	NA	<p><i>Positive</i></p> <p>New business opportunities created to encourage social interaction.</p> <p>Improved public realm creates safer spaces.</p> <p>Improved accessibility across the whole site increases surveillance and feelings of safety.</p> <p><i>Neutral</i></p> <p>The opportunity to relocate into the new scheme is open to all occupiers thus retaining existing services.</p> <p><i>Negative</i></p> <p>Where businesses accept compensation but choose not to relocate, customers may have to travel an increased distance to continue to access specific products or services.</p>	

APPENDIX 5 – LAND ACQUISITION SCHEDULE

Dinnington Regeneration Scheme - Completed Acquisitions			
Address	CPO Plot Number(s)	Seller	Date of completion
Thoroughfare between 56 and 58 Laughton Road	1	Stuart John Pilbrow (Freehold)	1st August 2024
56 Laughton Road	2,3 and 4	Shelby Investments (Freehold)	4th February 2025
56 Laughton Road	2 and 4	Paul Alexander Munden and Susan Jane Munden (Leasehold)	4th February 2025
Land and buildings at 38 to 54 Laughton Road	6	South Yorkshire Estates Limited	30th May 2024
36A and 36B Laughton Road	18	Roy Mugglestone and Spencer Steven Mugglestone	30th August 2024
Thoroughfare between 32 and 34 Laughton Road	20	Dinnington St Johns Town Council	5th November 2024

Dinnington Regeneration Scheme - Acquisitions agreed Subject to Contract			
Address	CPO Plot Number(s)	Seller	
50 Laughton Road	15	Ms Alla Al Najafi (head leasehold interest)	
Land off Constable Lane, Dinnington, including band practice building	17	Trustess of the Dinnington Colliery Band	

Dinnington Regeneration Scheme - Units to be acquired pursuant to s.25 Notice			
Address	CPO Plot Number(s)	Tenant	Date of possession
56 Laughton Road	3	Cooplunds Direct Limited	6 month's s.25 Notice is to be served imminently
52 Laughton Road	8	Sharon Tongue and Maxine Taylor	17th November 2025
46 Laughton Road	11	Julia Hall	17th November 2025
44 Laughton Road	12	Zana Mujaheedi	18th April 2025
42 Laughton Road	13	Dean Tomney and Cheryl Tomney	24th February 2025
38 Laughton Road	16	Moon Ice Limited	28th February 2025
Unit 2 36 Laughton Road	18	Malcolm Scriven	7th April 2025
Unit 1 36 Laughton Road	18	Malcolm Helliwell and Rodney Helliwell	7th April 2025

Dinnington Regeneration Scheme - Outstanding interests to be acquired			
Address	CPO Plot Number(s)	Tenant	
Dinnington Open Market	5	Donna Nixon (Paylet Limited)	
50 Laughton Road	9	Cobani Property Limited (head lease)	
50 Laughton Road	9	Ahmet Gungor (under lease)	
40 Laughton Road	15	Bijyan Ismail t/a Max's Pizza	
34 Laughton Road (former indoor market)	19	William John Carroll and Roy James Mugglestone	
32 Laughton Road	21	The Estate of Audrey Beryl Mugglestone, Yvonne Mugglestone and Roy Mugglestone	