



# Cabinet (Resources) Panel

## 8 April 2014

<b>Report title</b>	Empty Property Strategy – 171 Caledonia Road, Parkfields, Wolverhampton. WV2 1JA – Property Identified for Action.	
<b>Decision designation</b>	AMBER	
<b>Cabinet member with lead responsibility</b>	Councillor Peter Bilson Economic Regeneration and Prosperity	
<b>Key decision</b>	No	
<b>In forward plan</b>	No	
<b>Wards affected</b>	Ettingshall	
<b>Accountable director</b>	Tim Johnson, Education and Enterprise	
<b>Originating service</b>	Private Sector Housing	
<b>Accountable employee(s)</b>	Richard Long	Housing Improvement Officer
	Tel	01902 555705
	Email	Richard.long@wolverhampton.gov.uk
<b>Report to be/has been considered by</b>		

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### Recommendation(s) for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. note the property identified for action under the Empty Property Strategy.
2. authorise Council employees to enter into formal negotiations to acquire the property by agreement.
3. approve in principle, the use of Compulsory Purchase action if required.

## **1.0 Purpose**

- 1.1 The purpose of this report is to request the Panel to authorise Council employees to commence formal negotiations with the owner of the above empty property with a view to acquiring the property by agreement.
- 1.2 This decision is in support of Wolverhampton City Council's Empty Properties Strategy.

## **2.0 Background**

- 2.1 The property, highlighted on the attached plan, is a three bedroom terrace that has been empty since April 2009. Complaints regarding the condition of the property were first received in April 2010.
- 2.2 Following a Notice to Enter the property (Section 239 of the Housing Act 2004), access was gained with the permission of the owner in November 2010. The property was found to be in a severely dilapidated condition.
- 2.3 A Notice under section 215 of the Town and Country Planning Act 1990 was served on 171 Caledonia Road in order to remove the detrimental effect the condition of the property/ land is having on the amenity of the area. The Notice required compliance by 8 August 2013. The owner has not responded or complied with the Notice served.
- 2.4 As informal negotiations and Notices served have not brought about a solution, it is now considered necessary to take further action under the Empty Properties Strategy.

## **3.0 Proposals**

- 3.1 The recommended course of action is to open formal negotiations with the owner in order to bring the property back into residential use.
- 3.2 It is hoped that the offer to acquire, supported by the possibility of Compulsory Purchase action will achieve an early resolution.

## **4.0 Financial implications**

- 4.1 The Housing Capital Programme approved by Council on 22 January 2014 includes provision over the medium term for the Empty Property Strategy. In the event of negotiated acquisition, the costs will be met from this provision.
- 4.2 There are no exceptional circumstances in the case of 171 Caledonia Road. A Notice under Section 215 of the Town and Country Planning Act 1990 to tidy the land/ buildings has not been complied with and it will therefore not be necessary to pay the additional statutory 7.5% compensation payment.
- 4.3 Any financial implications arising from the negotiations or the necessity to progress a Compulsory Purchase Order will be the subject of a further report to this Panel.

[CF/17032014/T]

## **5.0 Legal implications**

5.1 There are no legal implications arising from this report at this stage. If required the Chief Legal Officer will undertake the statutory processes involved in the making and confirming a Compulsory Purchase Order and subsequently making the General Vesting Declaration.

[RB/16032014/A]

## **6.0 Equalities implications**

6.1 Equalities implications have been considered throughout the process and in assessing the outcome. An Equality Analysis has been completed and this does not indicate any adverse implications. Bringing an empty property back into use will improve the visual amenity of the area and can make the area more welcoming to some groups covered by the Equality Act 2010, in doing so this will promote participation in public life.

## **7.0 Environmental implications**

7.1 Long term empty properties can have a detrimental impact on neighbourhood sustainability and cause environmental blight. Bringing the property back into residential use will improve the appearance of the neighbourhood, enhance property conditions and contribute to the regeneration of the City, meeting the Council's strategic objectives.

## **8.0 Human resources implications**

8.1 There no human resources implications arising from this report.

## **9.1 Corporate landlord implications**

9.1 There are no corporate landlord implications arising from this report.

## **10.0 Schedule of background papers**

- An Action Plan to Deliver the Empty Property Strategy 11/01/06;
- Private Sector Empty Property Strategy 2010-2015;
- Wolverhampton Housing Needs Survey 2007.