26	Pre 215 Letter to Owner	
27	Section 215 Town and Country Planning Act	
28	Letter to owner	
29	Note from telephone call	
30	Acquisition Report	
31	Letter to owner	
32	Letter to owner	
33	Letter to owner	
34	Letter and enclosures from owner	
35	Email to owner	
36	Cabinet Report / Authorisation Area A	
37	Photographs	
38	Cabinet Report/ Authorisation Areas B and C	
39	Letter to owner	
40	Letter to owner	
41	Objections to the Order	
42	Map search	
43	Land Registry and Title Plan for Area A	

App

Please Ask For	Richard Long
Direct Line	01902 555705
Facsimile	01902 558792
E-mail	Richard.long@wolverhampton.gov.uk

Wolverhampton City Council

Nick Edwards

Assistant Director

Regeneration

Civic Centre

St Peters Square

Wolverhampton

Jaspal Singh Sahota
30 Finney Well Close
Bilston
WV14 9NX

Your Ref:

My Ref: 2 ½ Clifford Street

21 October 2014

Dear Mr Sahota

2 ½ (2B) CLIFFORD STREET, WHITMORE REANS, WOLVERHAMPTON. WV6 0AB (TITLE NUMBER SF41569) SECTION 215 OF THE TOWN AND COUNTRY PLANNING ACT 1990 URGENT ACTION REQUIRED

Further to communications since 2005, I note that the above property remains empty. I have enclosed a copy of the Official Copy of Register of Title to avoid any confusion regarding the address.

The Council is now considering enforcement action under Section 215 of the Town and Country Planning act 1990.

You are now advised to carry out the following works to avoid formal action:-

Front Elevation –

1. Remove all rubbish, white goods and building materials from in front of the property, clear vegetation from all areas at the front of the property and bring to a maintainable standard;
2. Remove vegetation growing from masonry;
3. Repair and prepare all wooden fascia and soffit boards, apply 2 coats undercoat and 1 coat of gloss (colour to be agreed with council);
4. Replace all damaged and defective guttering and rainwater goods;
5. Remove boards and re-glaze windows as necessary;
6. Make good/ repair stonework to window cills;
7. Make good holes and remedy defects in external brickwork and render to building and boundary walls;
8. Prepare and treat with stabilising solution all masonry, stonework and rendering;
9. Apply 2 coats of approved masonry paint to all rendered areas (Colour to be agreed with Council);
10. Apply 2 coats undercoat and 1 coat of gloss to stonework cills and features (colour to be agreed with council);

11. Clean down all uPVC windows;
12. Prepare, prime and apply suitable coatings to metal gates.

Rear Elevation, Side Elevation, Passageway and Rear Yard –

13. Remove all rubbish, white goods and building materials from the rear of the property, clear vegetation from all areas at the rear of the property and bring to a maintainable standard;
14. Make good/ repair any areas of the rear yard and passage which are likely to present a trip hazard to users;
15. Remove vegetation growing from masonry;
16. Strip off flat roofs, carry out appropriate structural repairs to the roofing structures, insulate and replace roof coverings to agreed standards and specifications (Building Regulations approval will be required for these structural works);
17. Repair and prepare all wooden fascia and soffit boards, apply 2 coats undercoat and 1 coat of gloss to include underside of passageway (colour to be agreed with council);
18. Replace all damaged and defective guttering, soil pipes and rainwater goods;
19. Remove boards and re-glaze windows as necessary;
20. Make good holes, replace areas of missing rendering and remedy defects in external brickwork and render to building;
21. Replace/ repair all flashings to main and additional roofs, replace any broken and missing roof tiles;
22. Remove/ secure sundry wiring to all elevations;
23. Prepare and treat with stabilising solution all masonry, stonework and rendering;
24. Apply 2 coats of approved masonry paint to all rendered areas (Colour to be agreed with Council);
25. Clean down all uPVC windows;
26. Prepare, prime and apply suitable coatings to metal stairs and lintels.

General –

1. Remove all waste materials arising to a registered disposal facility.

Hopefully formal action will not be required to resolve this matter.

I would appreciate if you could contact me to discuss the above or your alternative plans for the property.

Yours sincerely

Richard Long - Private Sector Team

Land Registry

Official copy of register of title

Title number SF41569 | Edition date 10.10.2013

- This official copy shows the entries on the register of title on 13 AUG 2014 at 08:14:23.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 13 Aug 2014.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide *1-A guide to the information we keep and how you can obtain it.*
- This title is dealt with by Land Registry, Coventry Office.

A: Property Register

This register describes the land and estate comprised in the title.

WEST MIDLANDS : WOLVERHAMPTON

1 (25.07.1969) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 2 1/2 (2B) Clifford Street, Whitmore Reans (WV6 0AB).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (20.07.1989) PROPRIETOR: JASPAL SINGH SAHOTA of 2 Clifford Street, Whitmore Reans, Wolverhampton.

2 (05.10.1993) CAUTION in favour of Unadkat and Co (Accountants) Limited of 12 The Wharf, Bridge Street, Birmingham B1 2JS.

C: Charges Register

This register contains any charges and other matters that affect the land.

1 (20.07.1989) REGISTERED CHARGE dated 21 June 1989 affecting also title WM455408 to secure the moneys including the further advances therein mentioned.

2 (27.12.2007) Proprietor: LLOYDS BANK PLC (Co. Regn. No. 2065) of Registrations, Secured Assets, Barnett Way, Gloucester GL4 3RL.

End of register

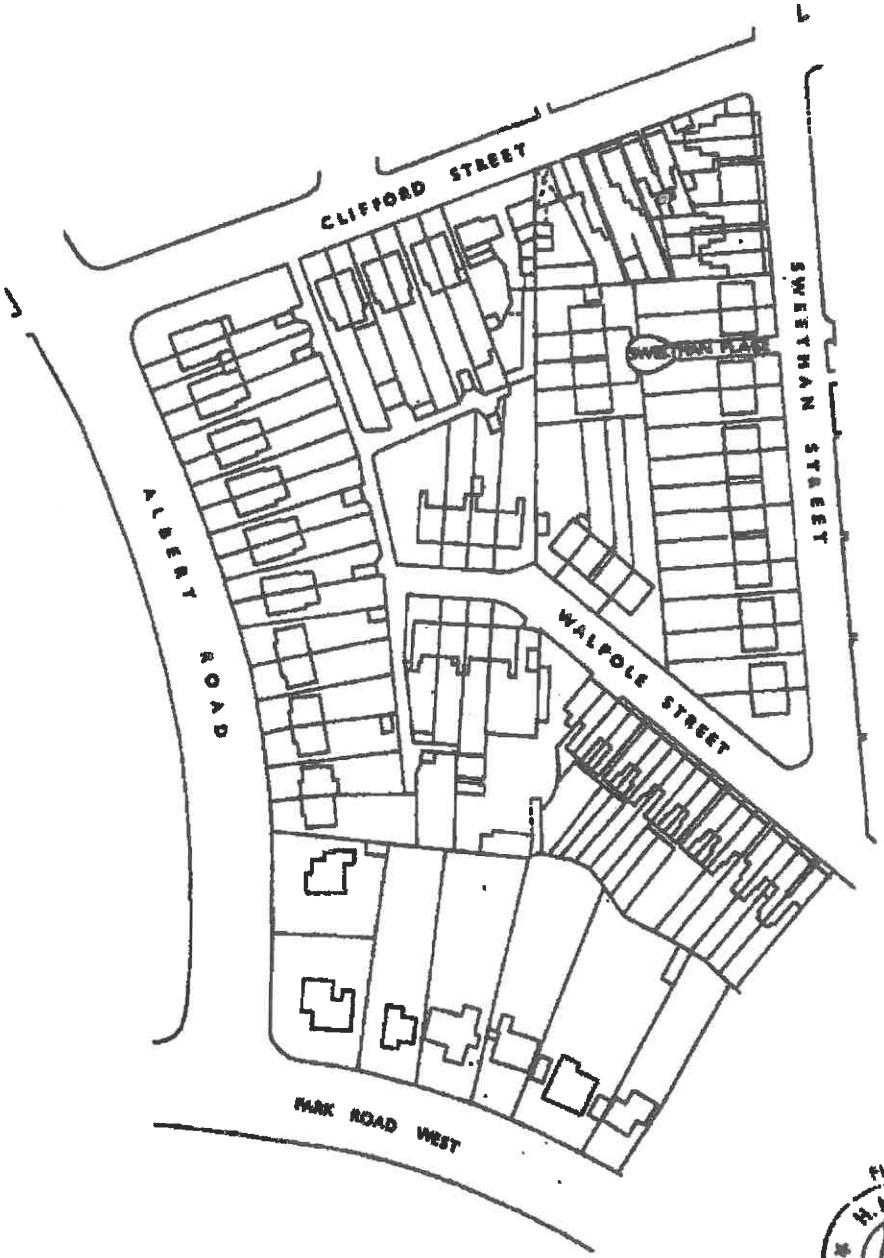
H. M. LAND REGISTRY

NATIONAL GRID PLAN SO9099 SECTION N

~~STAFFORDSHIRE~~

Scale 1/1250

COUNTY OF WEST MIDLANDS
WOLVERHAMPTON DISTRICT



FILED PLAN
H.M. LAND REGISTRY

Title No. SF 41569

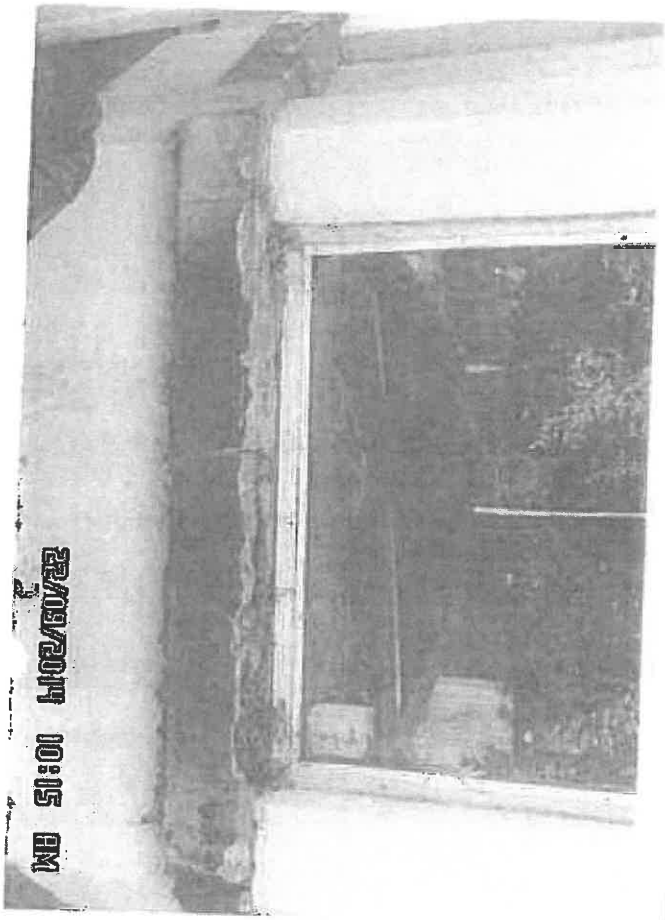
This official copy is incomplete without the preceding notes page.

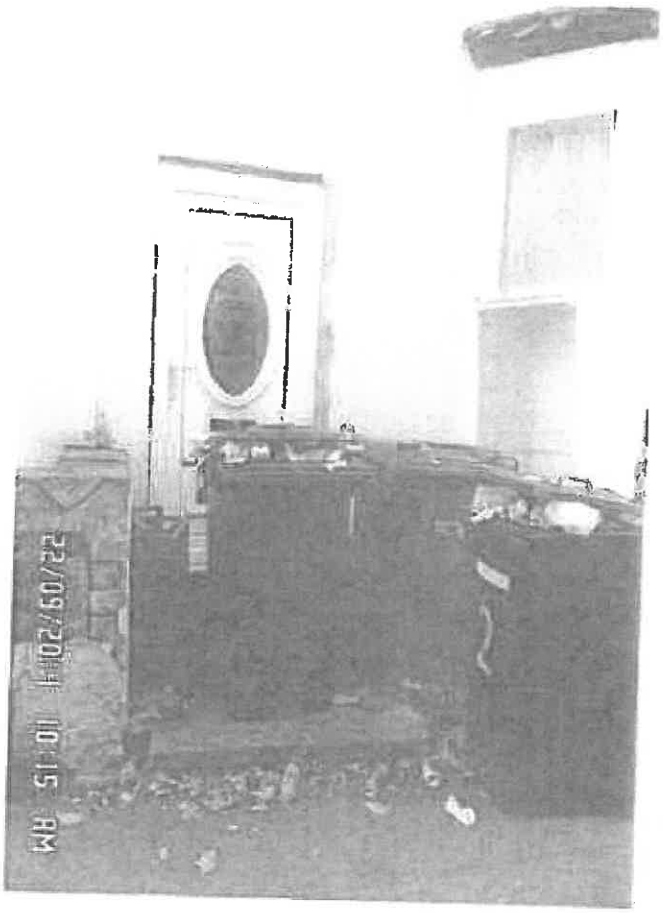
13/8/14

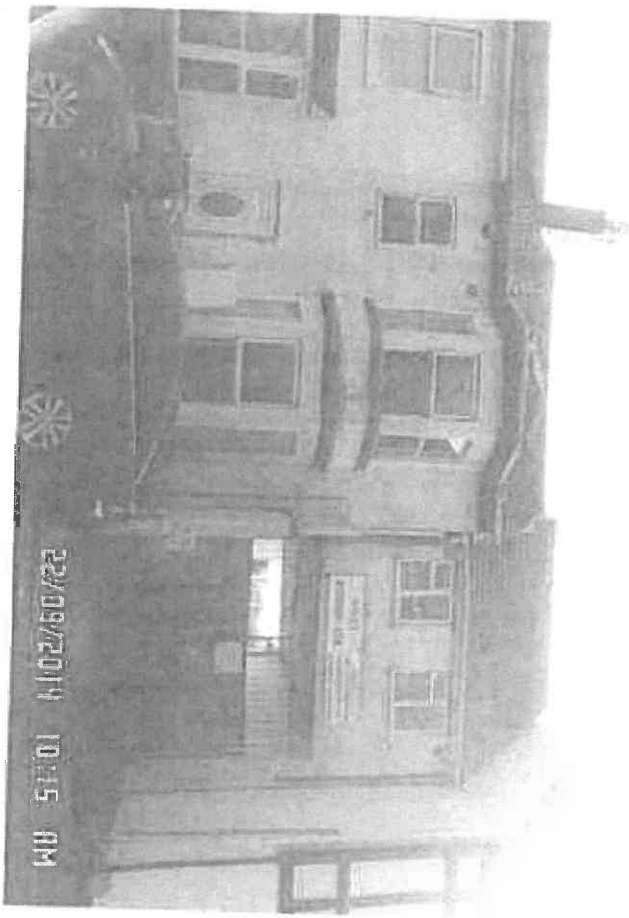

FLAT B
2½
FLAT A
2½A
WEST
WINDOW LTD.
MANUFACTURERS OF
U.P.V.C WINDOWS-DOORS
PATIO DOORS-CONSERVATORIES
Tel:01902 618 488
07967 015980

FLATT
REAR

2½ Clifford Street 22nd Sept 2014 Clare Cliff & Bev Patel.







2½ Clifford Street
24/11/14.

APP 27.

FILE
x3

IMPORTANT – THIS COMMUNICATION AFFECTS YOUR PROPERTY

WOLVERHAMPTON CITY COUNCIL
TOWN AND COUNTRY PLANNING ACT 1990
NOTICE REQUIRING THE PROPER MAINTENANCE OF LAND

To: **The Owner. 2 ½ (2B) Clifford Street, Whitmore Reans, Wolverhampton. WV6 0AB. Title number SF41569**

Jaspal Singh Sahota of 30 Finney Well Close, Sedgemore Park, Wolverhampton. WV14 9XN.

Jaspal Singh Sahota of 319 Dudley Road, Blakenhall, Wolverhampton. WV2 3JY

WHEREAS:-

(1) The **Wolverhampton City Council** (hereinafter called "the Council") are the Local Planning Authority (inter alia) for the purposes of the provisions of Section 215 of the Town and Country Planning Act 1990 (hereinafter called "the Act).

(2) You are the owner of **2 ½ (2B) Clifford Street, Whitmore Reans, Wolverhampton. WV6 0AB. Title number SF41569** (hereinafter called "the land") more particularly shown edged with a solid Red line on the attached plan.

(3) It appears to the Council that the amenity of part of their area is adversely affected by the condition of the land

NOW THEREFORE the Council in pursuance of their powers contained in the said Section 215 HEREBY REQUIRE YOU to take such steps as are set out in the schedule hereto to remedy the said adverse effect within **4 months** from the date on which this Notice takes effect.

THIS NOTICE SHALL TAKE EFFECT subject to the provisions of Section 217(3) of the Act,

22nd January 2015

SCHEDULE

Front Elevation –

1. Remove all rubbish, white goods and building materials from in front of the property, clear vegetation from all areas at the front of the property and bring to a maintainable standard;
2. Remove vegetation growing from masonry;
3. Repair and prepare all wooden fascia and soffit boards, apply 2 coats undercoat and 1 coat of gloss (colour to be agreed with council);
4. Replace all damaged and defective guttering and rainwater goods;
5. Remove boards and re-glaze windows as necessary;
6. Make good/ repair stonework to window cills;
7. Make good holes and remedy defects in external brickwork and render to building and boundary walls;
8. Prepare and treat with stabilising solution all masonry, stonework and rendering;

9. Apply 2 coats of approved masonry paint to all rendered areas (Colour to be agreed with Council);
10. Apply 2 coats undercoat and 1 coat of gloss to stonework cills and features (colour to be agreed with council);
11. Clean down all uPVC windows;
12. Prepare, prime and apply suitable coatings to metal gates.

Rear Elevation, Side Elevation, Passageway and Rear Yard –

13. Remove all rubbish, white goods and building materials from the rear of the property, clear vegetation from all areas at the rear of the property and bring to a maintainable standard;
14. Make good/ repair any areas of the rear yard and passage which are likely to present a trip hazard to users;
15. Remove vegetation growing from masonry;
16. Strip off flat roofs, carry out appropriate structural repairs to the roofing structures, insulate and replace roof coverings to agreed standards and specifications (Building Regulations approval will be required for these structural works);
17. Repair and prepare all wooden fascia and soffit boards, apply 2 coats undercoat and 1 coat of gloss to include underside of passageway (colour to be agreed with council);
18. Replace all damaged and defective guttering, soil pipes and rainwater goods;
19. Remove boards and re-glaze windows as necessary;
20. Make good holes, replace areas of missing rendering and remedy defects in external brickwork and render to building;
21. Replace/ repair all flashings to main and additional roofs, replace any broken and missing roof tiles;
22. Remove/ secure sundry wiring to all elevations;
23. Prepare and treat with stabilising solution all masonry, stonework and rendering;
24. Apply 2 coats of approved masonry paint to all rendered areas (Colour to be agreed with Council);
25. Clean down all uPVC windows;
26. Prepare, prime and apply suitable coatings to metal stairs and lintels.

General –

1. Remove all waste materials arising to a registered disposal facility.

Dated this day 11th December 2014

Signed.....

Ms Lesley Williams
Service Manager – Private Sector Housing
Civic Centre
St Peters Square
Wolverhampton
WV1 1RP

The officer dealing with this matter is: Richard Long
Telephone: 01902 555705

EXTRACTS FROM THE TOWN AND COUNTRY PLANNING ACT 1990

Penalty for Non-Compliance with S.215 Notice

216. (1) The provisions of this section shall have effect where a notice has been served under Section 215.

(2) If any owner or occupier of the land on whom the notice was served fails to take steps required by the notice within the period specified in it for compliance with it, he shall be guilty of an offence and liable on summary conviction to a fine not exceeding £1,000.

(3) Where proceedings have been brought under subsection (2) against a person as the owner of the land and he has, at some time before the end of the compliance period, ceased to be the owner of the land, if he –

(a) duly lays information to that effect, and
(b) gives the prosecution not less than three clear days' notice of his intention,

he shall be entitled to have the person who then becomes the owner of the and brought before the court in the proceedings.

(4) Where proceedings have been brought under subsection (2) against a person as the occupier of the land and he has, at some time before the end of the compliance period, ceased to be the occupier of the land, if he –

(a) duly lays information to that effect and,
(b) gives the prosecution not less than three clear days' notice of his intention.

He shall be entitled to have brought before the court in the proceedings the person who then became the occupier of the land or, if nobody then become the occupier, the person who is the owner at the date of the notice.

(5) Where in such proceedings –

(a) it has been proved that any steps required by the notice under Section 215 have not it has been proved that any steps required by the notice under Section 215 have not been taken within the compliance period, and

(b) the original defendant proves that the failure to take those steps was attributable, in whole or in part, to the default of a person specified in a notice under subsection (3) or (4) –

then -

(i) that person may be convicted of the offence; and
(ii) if the original defendant also proves that he took all reasonable steps to ensure compliance with the notice, he shall be acquitted of the offence.

(6) If, after a person has been convicted under the previous provisions of this section, he does not as soon as practicable do everything in his power to secure compliance with the notice, he shall be guilty of a further offence and liable on summary conviction to a fine not exceeding £100 for each day following his first conviction on which any of the requirements of the notice remain unfulfilled.

(7) Any reference in this section to the compliance period, in relation to a notice, is a reference to the period specified in the notice for compliance with it or such extended period as the local planning authority who served the notice may allow for compliance.

Appeal to Magistrates' Court Against S.215 Notice

217. (1) A person on whom a notice under Section 215 is served, or any other person having an interest in the land to which the notice relates, may, at any time within the period specified in the notice as the period at the end of which is to take effect, appeal against the notice on any of the following grounds –

(a) that the condition of the land to which the notice relates does not adversely affect the amenity of any part of the area of the local planning authority who served the notice, or of any adjoining area;

(b) that the condition of the land to which the notice relates is attributable to, and such as results in the ordinary course of events from, the carrying on of operations or a use of land which is not in contravention of Part III;

(c) that the requirements of the notice exceed what is necessary for preventing the condition of the land from adversely affecting the amenity of any part of the area of the local planning authority who served the notice, or of any adjoining area;

(d) that the period specified in the notice as the period within which any steps required by the notice are to be taken falls short of what should reasonably be allowed.

(2) Any appeal under this section shall be made to a magistrates' court acting for the petty sessions area in which the land in question is situated.

(3) Where such an appeal is brought, the notice to which it relates should be of no effect pending the final determination or withdrawal of the appeal.

(4) On such an appeal the magistrates' court may correct any informality, defect or error in the notice if satisfied that the informality, defect or error is not material.

(5) On the determination of such an appeal the magistrates' court shall give directions for giving effect to their determination, including, where appropriate, directions for quashing the notice or for varying the terms of the notice in favour of the appellant.

(6) Where any person has appealed to a magistrates' court under this section against a notice, neither that person nor any other shall be entitled, in any other proceedings instituted after the making of the appeal, to claim that the notice was not duly served on the person who appealed.

Further Appeal to the Crown Court

218. Where an appeal has been brought under Section 217, an appeal against the decision of the magistrates' court on that appeal may be brought to the Crown Court by the appellant or by the local planning authority who served the notice in question under Section 215.

Execution and Cost of Works Required by S.215 Notice

219. (1) If, within the period specified in a notice under Section 215 in accordance with subsection (2) of that section, or within such extended period as the local planning authority who served the notice may allow, any steps required by the notice to be taken have not been taken, the local planning authority who served the notice may –

(a) enter the land and take those steps, and

(b) recover from the person who is then the owner of the land any expenses reasonably incurred by them in doing so.

(2) Where a notice has been served under Section 215 -

(a) any expenses incurred by the owner, or occupier of any land for the purpose of complying with the notice, and

(b) any sums paid by the owner of any land under subsection (1) in respect of expenses incurred by the local planning authority in taking steps required by such a notice, shall be deemed to be incurred or paid for the use and at the request of the person who caused or permitted the land to come to be in the condition in which it was when the notice was served.

(3) Regulations made under this Act may provide that –

(a) section 276 of the Public Health Act 1936 (power of local authorities to sell materials removed in executing works under that Act subject to accounting for the proceeds of sale);

(b) section 298 of that Act (power to require the occupier of any premises to permit works to be executed by the owner of the premises); or

(c) section 29 4 of that Act (limit on liability of persons holding premises as agents or trustees in respect of the expenses recoverable under that Act), shall apply, subject to such adaptations and modifications as may be specified in the regulations, in relation to any steps required to be taken by a notice under Section 215.

(4) Regulations under subsection (3) applying section 289 of the Public Health Act 1936 may include adaptations and modifications for the purpose of giving the owner of land to which a notice under Section 215 relates the right, as against all other persons interested in the land, to comply with the requirements of the enforcement notice.

(5) Regulations under subsection (3) may also provide for the charging on the land of any expenses recoverable by the local authority under subsection (1).

(6) Where by virtue of this section any expenses are recoverable by a local planning authority, those expenses shall be recoverable as a simple contract debt in any court of competent jurisdiction.

WOLVERHAMPTON CITY COUNCIL

SERVICE OF SECTION 215 NOTICES

Notice Ref No. Section 215 TCPA – 2 ½ (2B) Clifford Street, Whitmore Reans

---

Served on: Jaspal Singh Sahota – 319 Dudley Road, Wolverhampton – 2 ½ (2B) Clifford Street, Wolverhampton. 30 Finney Well Close, Bilston.

The Owner. 2 ½ (2B) Clifford Street, Whitmore Reans, Wolverhampton

---

Property Referred to: 2 ½ (2B) Clifford Street, Whitmore Reans

Date of Notice: 11th December 2014

Details of Delivery: Attached to the Front Bay Window + Copy in post box Clifford Street, Whitmore Reans, Wolverhampton By Hand to 319 Dudley Road, Wolverhampton – 30 Finney Well Close, Bilston.

Date and Time of Delivery: 11 December 2014. ...11.45 @ 2 ½ (2B) Clifford Street, ...12.00 @ 319 Dudley Road, Wolverhampton, ...12.15...@ 30 Finney Well Close, Bilston.

Delivered by and Position: Richard Long, Housing Improvement Officer

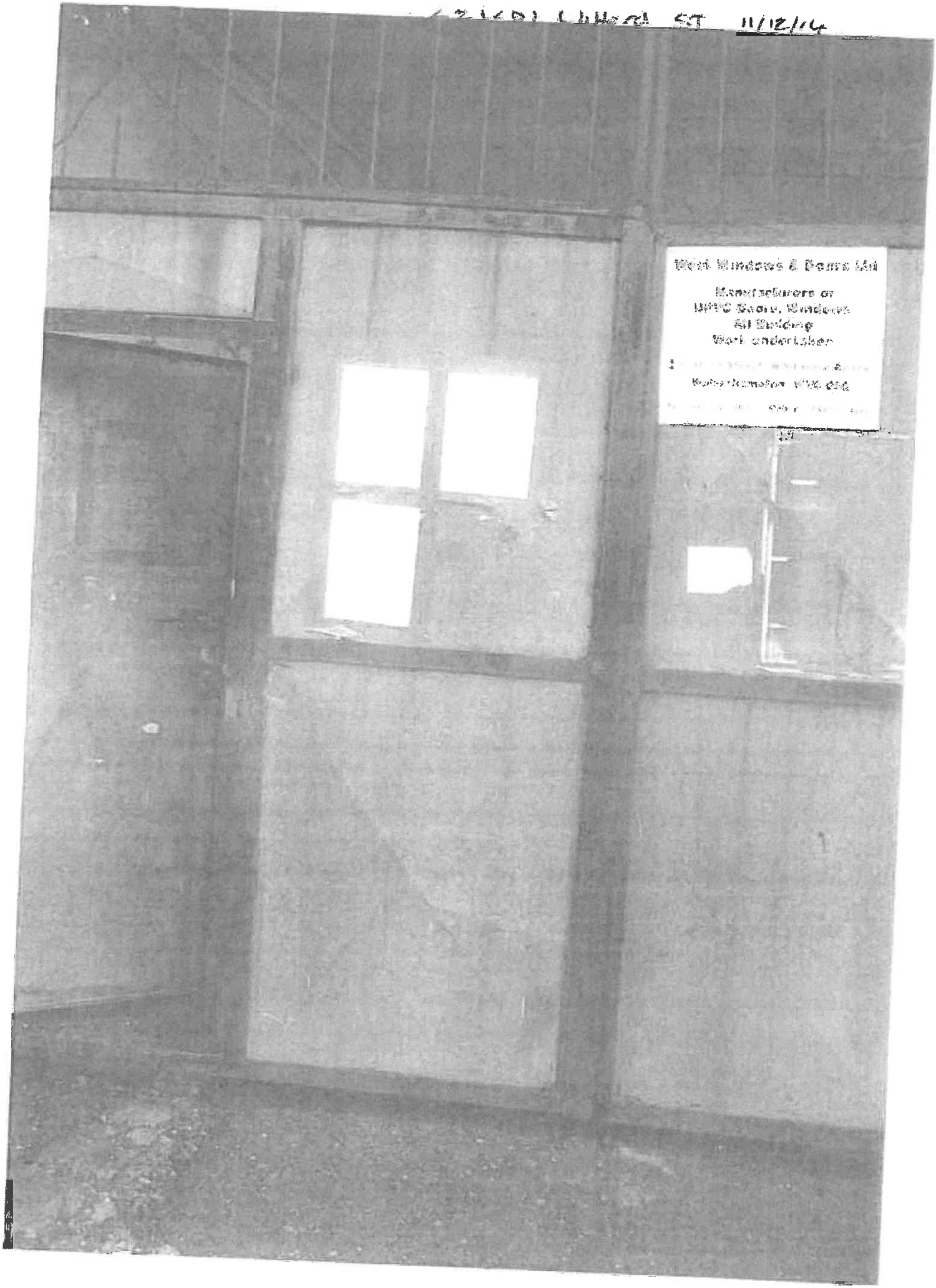
---

I HEREBY CERTIFY THAT THE ABOVE DETAILS ARE CORRECT AND THAT THE ATTACHED DOCUMENTS ARE A TRUE AND ACCURATE COPY OF THE ORIGINAL NOTICES SERVED.

Signed:

Dated: 11/12/14

11/12/14


Weld Windows & Doors Ltd
Manufacturers of
UPVC Doors, Windows
All Building
Work undertaken

APP 28

Please Ask For Richard Long
Direct Line 01902 555705
Facsimile 01902 554329
E-mail Richard.long@wolverhampton.gov.uk

Wolverhampton
City Council

Nick Edwards
Service Director
City Assets

Civic Centre, St Peter's Square
Wolverhampton, WV1 1RP
Main Switchboard (01902) 556556
Website www.wolverhampton.gov.uk

Mr J S Sahota
30 Finney Well Close
Bilston
WV14 9XN

Your Ref:

My Ref: 2 ½ Clifford Street

26 May 2015

Dear Mr Sahota

UNOCCUPIED PROPERTY – 2 ½ CLIFFORD STREET, WHITMORE REANS, WOLVERHAMPTON. WV6 0AB

With reference to the Section 215 Notice served on you regarding the above property (copy enclosed). I appreciate that some work has been carried out, however, an initial inspection has identified that there appear to be a number of items outstanding.

Prior to progressing legal action for non-compliance, I would like to offer you the opportunity to make representations regarding the outstanding items. Please contact me to arrange a meeting on site within 14 days of this letter (01902 555705).

I look forward to hearing from you.

Yours sincerely

Richard Long

Private Sector Team

Please Ask For Richard Long
Direct Line 01902 555705
Facsimile 01902 558792
E-mail Richard.long@wolverhampton.gov.uk

FILE

Wolverhampton City Council

Nick Edwards
Assistant Director
Regeneration
Civic Centre
St Peters Square
Wolverhampton

Jaspal Singh Sahota
2 ½ (2B) Clifford Street
Whitmore Reans
Wolverhampton.
WV6 0AB

Your Ref:

My Ref: 2 ½ Clifford Street

11 December 2014

IMPORTANT – DO NOT IGNORE THIS LETTER

Dear Mr Sahota

2 ½ (2B) CLIFFORD STREET, WHITMORE REANS, WOLVERHAMPTON. WV6 0AB (TITLE NUMBER SF41569) SECTION 215 OF THE TOWN AND COUNTRY PLANNING ACT 1990 URGENT ACTION REQUIRED

Enclosed with this letter is a formal notice pursuant to Section 215 of the Town and Country Planning Act 1990 (as amended), together with information concerning your right of appeal to the Magistrates Court. The Notice details the list of requirements that are considered to be the minimum works required to bring the property back to a reasonable standard and which will rectify the adverse effects the land is having on the amenity of the neighbourhood.

You are advised to take the required action to resolve this matter as detailed in the notice as soon as possible.

Failure to comply with the notice is an offence for which the maximum penalty on conviction is £1000. In addition the Council may carry out the work required by the notice and recover from you the all costs reasonably incurred. The costs would remain as a charge on the land until paid. Should you wish to discuss the matter please contact me on the above number.

Yours sincerely

Richard Long – Housing Improvement Officer

Please Ask For Richard Long
Direct Line 01902 555705
Facsimile 01902 558792
E-mail Richard.long@wolverhampton.gov.uk

FILE

Wolverhampton City Council

Nick Edwards
Assistant Director
Regeneration
Civic Centre
St Peters Square
Wolverhampton

Jaspal Singh Sahota
319 Dudley Road,
Blakenhall,
Wolverhampton.
WV2 3JY

Your Ref:

My Ref: 2 ½ Clifford Street

11 December 2014

IMPORTANT – DO NOT IGNORE THIS LETTER

Dear Mr Sahota

2 ½ (2B) CLIFFORD STREET, WHITMORE REANS, WOLVERHAMPTON. WV6 0AB (TITLE NUMBER SF41569) SECTION 215 OF THE TOWN AND COUNTRY PLANNING ACT 1990 URGENT ACTION REQUIRED

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Yours sincerely

Richard Long – Housing Improvement Officer

APP 29.

Richard Long

From: Rowan Jones
Sent: 12 June 2015 16:52
To: Richard Long
Subject: Phone Msg

Mr Singh called re 2 ½ Clifford Street. The scaffolding is now up, if you want to go and have a look at it.

Tel: 07960871666.

NOT Recognised.

Thanks,

Rowan

Rowan Jones
Hsng Strat/development Officer
Tel. Office: 01902 554990
Weds - Fri

E-mail: Rowan.Jones@wolverhampton.gov.uk
Wolverhampton City Council


WEST
WINDOW LTD.
01902 618 468

This report is PUBLIC
[NOT PROTECTIVELY MARKED]

Agenda Item No: XX

CITY OF WOLVERHAMPTON COUNCIL

Cabinet (Resources) Panel
20 October 2015

Report title	Empty Property Strategy – Two and a Half Clifford Street, Whitmore Reans. WV6 0AB – Property Identified for Action.
Decision designation	AMBER
Cabinet member with lead responsibility	Councillor Peter Bilson, City Assets
Key decision	No
In forward plan	No
Wards affected	Park
Accountable director	Lesley Roberts, Strategic Director, Housing
Originating service	Private Sector Housing
Accountable employee(s)	Richard Long — Housing Improvement Officer Tel — 01902 555705 Email — Richard.long@wolverhampton.gov.uk
Report to be/has been considered by	

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. Following any acquisition, authorise the Strategic Director Housing to declare the property surplus and dispose of the property on the open market on condition that the property is refurbished and re-occupied with in 6 or 12 months (as appropriate to the scale of the works).
4. 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 the City of Wolverhampton Council's Empty Properties Strategy.

2.0 Background

2.1 The property highlighted on the attached plan contains four flats and a window manufacturing yard/ office. Complaints regarding the property were first received in May 2005. Complaints include fly tipping, inadequate housing standards and the general condition of the property.

2.2 A Notice under section 215 of the Town and Country Planning Act 1990 was served on the owner of the land in January 2015 in order to remove the detrimental effect the condition of the property/ land is having on the amenity of the area. Some works were carried out. However, the Notice has not been fully complied with complied with.

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 work with corporate landlord 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 23 June 2015 includes provision over the medium term for the Empty Property Strategy with a capital allocation in 2015/16 of £550,000. In the event of negotiated acquisition, the costs will be met from this provision. The onward sale of properties recycles the funding, ensuring the programme can continue.

4.2 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. [MF/17092015/Q]

5.0 Legal implications

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

[RB24092015/R]

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

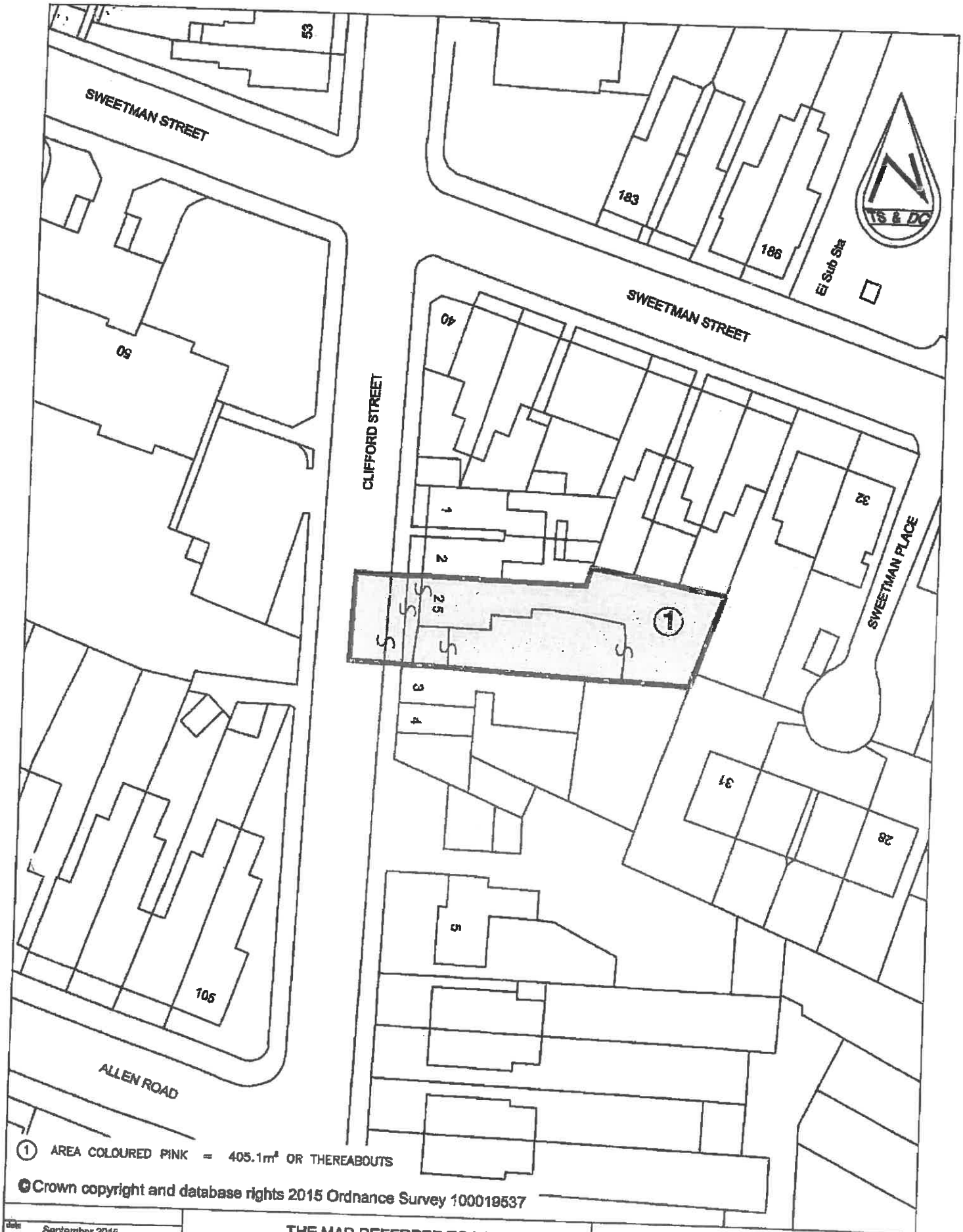
8.1 There no human resources implications arising from this report.

9.1 Corporate landlord implications

9.1 Where applicable, corporate landlord will work with housing to negotiate and agree a valuation with the owner. Should the property be acquired by agreement corporate landlord will arrange for disposal of the property by auction.

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



1 AREA COLOURED PINK = 405.1m² OR THEREABOUTS

date	September 2015
scale	1:500
drawn by	AJP
dwg. no.	\2B Cliffford Street.dwg

THE MAP REFERRED TO IN
THE WOLVERHAMPTON CITY COUNCIL
(2B Clifford Street)
COMPULSORY PURCHASE ORDER 2015

Wolverhampton City Council

Strategic Director – Place
Civic Centre, St. Peter's Square, Wolverhampton

Tel. (01902) 556556

2½ Clifford Street 20/8/13.


WEST
WINDOW LTD.
07967 015980

Please Ask For Harpreet Kaur
Direct Line 01902 555589
Facsimile 01902 555403
E-mail harpreet.kaur@wolverhampton.gov.uk
Minicom

Wolverhampton City Council

Civic Centre St Peter's Square
Wolverhampton WV1 1RG
Main Switchboard (01902) 556556
Website www.wolverhampton.gov.uk

Mr J Singh Sahota
30 Finneywell Close
Sedgemore Park
Bilston
WV14 9XN

Your Ref.
My Ref. EST/HK/EPS

6 November 2015

IMPORTANT: PLEASE DO NOT IGNORE THIS LETTER

Dear Mr Sahota,

2 ½ (2B) Clifford Street, Whitmore Reans, WV6 0AB

I understand that the Empty Property Team have made several attempts to liaise with you to bring your property back into beneficial use and to date you have not communicated your intentions in writing as to what you intend to do with the property.

In view of this, the Empty Property Team have obtained Members' Approval to open negotiations to acquire the above property by agreements and in principal approval, to compulsorily acquire the property. I have attached a copy of the formal report and authority for your records.

I have now been instructed by the Council's Empty Property Team to open negotiations to purchase the property by agreement and I should be grateful if you would contact me to discuss this matter further. If you wish, a Surveyor or Valuer, (of your choice), can be appointed to act on your behalf in these negotiations and the Council will reimburse their reasonable fees on completion.

The compulsory purchase procedure is only carried out as a last resort, as owners are encouraged to voluntarily return their property back to beneficial use. If an owner is unwilling to co-operate with the Council, the Council will seek the formal approvals to proceed with the compulsory purchase of your property.

I look forward to hearing from you within the next 28 days as to how you wish to proceed or, if you wish, you can contact Richard Long, (Empty Property Team) direct on 01902 555075 to discuss your options.

Yours sincerely

HK

H Kaur
Estates Surveyor
Corporate Landlord

A1P32

CITY OF WOLVERHAMPTON COUNCIL

2 November 2016

Jaspal Singh Sahota
30 Finney Well Close
Bilston
WV14 9NX

Dear Mr Sahota

2 ½ (2B) CLIFFORD STREET, WHITMORE REANS, WOLVERHAMPTON. WV6 0AB (TITLE NUMBER SF41569) IMPORTANT – DO NOT IGNORE THIS LETTER

On 20 October 2015, the Cabinet Resources Panel of the Council approved that the above property should be acquired by negotiation or by the use of Compulsory Purchase powers if necessary.

If you decide that you would like the Council to acquire the property, the Council will pay any reasonable legal and surveyors' fees in relation to the matter. You will need to appoint a RICS Chartered Surveyor and solicitor to act on your behalf in the negotiations.

You will be compensated the agreed full market value of the property less any debts owing to the Council. Please supply the contact details of your chosen surveyor if you intend to proceed with this option.

If I have not heard from you within 28 days, the Council will commence the process of Compulsory Purchase.

Yours sincerely

Richard Long – Housing Improvement Officer

Direct: 01902 555705

Email: Richard.long@wolverhampton.gov.uk

AM 33

CITY OF WOLVERHAMPTON COUNCIL

3 January 2017

Jaspal Singh Sahota
30 Finney Well Close
Bilston
WV14 9NX

Dear Mr Sahota

2 ½ (2B) CLIFFORD STREET, WHITMORE REANS, WOLVERHAMPTON. WV6 0AB (TITLE NUMBER SF41569) IMPORTANT – DO NOT IGNORE THIS LETTER

I have not received a reply to my letter of 2 November 2016 (copy enclosed)

As you are aware, on 20 October 2015, the Cabinet Resources Panel of the Council approved that the above property should be acquired by negotiation or by the use of Compulsory Purchase powers if necessary.

If you decide that you would like the Council to acquire the property, the Council will pay any reasonable legal and surveyors' fees in relation to the matter. You will need to appoint a RICS Chartered Surveyor and solicitor to act on your behalf in the negotiations.

You will be compensated the agreed full market value of the property less any debts owing to the Council. Please supply the contact details of your chosen surveyor if you intend to proceed with this option.

If I have not heard from you within 14 days, the Council will commence the process of Compulsory Purchase without further notice.

Yours sincerely

Richard Long – Housing Improvement Officer

Direct: 01902 555705

Email: Richard.long@wolverhampton.gov.uk

Civic Centre, St. Peter's Square
Wolverhampton WV1 1SH

P2

wolverhampton.gov.uk
@WolvesCouncil
WolverhamptonToday

APP 34

Jaspal Singh
30 Finney Well Close
Wolverhampton
WV14 9XN
Date: 13/01/2017

Richard Long
Housing improvement Officer
St Peter's Square
Wolverhampton
WV1 1SH

Re 2 ½ Clifford Street, Wolverhampton, WV6 0AB.

Dear Mr Long,

Thanks for your letter dated 03/01/2017 I only doing what you told me to all the attached copy self-explain to you. The builder starting working on next week. Finally I need to know what you want me to do. If you need any more information please do not hesitate to write me.

Your faithfully,

J Singh

Please note Total Pages 11 (included this)

1. Cover page
2. Your latter Date 03/01/2017
3. My Email to request to meet me on site. 20/12/2016
4. Your Email date 02/12/2016 says need proof funding and estimate
5. Your Email
6. Your Email
7. My cover letter
8. Estimate for work
9. Proof of funding
10. My letter
11. Your letter

two and half clifford street

jaz Singh <citysingh@hotmail.com>

Tue 20/12/2016 21:17

To:Richard.long@wolverhampton.gov.uk <Richard.long@wolverhampton.gov.uk>

I have been contact four builders companies I like to meet you on the Clifford street, Wolverhampton, so we can discuss whole job between you, builder and myself. please let me know when you will be free so I can organiser with builder.

Jaspal

Sent from Outlook
have you gone to the wall builder companies like like to meet you

P3

RE: 2 ½ Clifford Street, Wolverhampton WV6 0AB [PROTECT]

Richard Long <Richard.Long@wolverhampton.gov.uk>

Fri 02/12/2016 12:37

To:jaz Singh <citysingh@hotmail.com>;

Cc:Clare Clifft <Clare.Clifft@wolverhampton.gov.uk>;

PROTECT

Dear Mr Singh

I have received both your email and hard copy letter. Unfortunately, the contents of the email/ letter are not enough for me to consider suspending action.

If you can provide sufficient written evidence to convince the Council that the property will be refurbished and occupied within a reasonable timescale, these documents can be considered further. Proof will be needed that a contractor(s) have been appointed and that funds are in place to carry out the agreed schedule of work.

If evidence is available, please provide this within 14 days of this email.

Regards

Richard Long
Housing Improvement Officer
Tel. Office: 01902 555705

E-mail: Richard.Long@wolverhampton.gov.uk
City of Wolverhampton Council

From: jaz Singh [mailto:citysingh@hotmail.com]
Sent: 30 November 2016 10:14
To: Richard Long
Subject: Fw: 2 ½ Clifford Street, Wolverhampton WV6 0AB

I receive mail says "the email fail" so I send you the recorded delivery

Sent from Outlook

From: jaz Singh <citysingh@hotmail.com>
Sent: 29 November 2016 10:08
To: Richard.long@wolverhampton.gov.uk
Subject: 2 ½ Clifford Street, Wolverhampton WV6 0AB

Jaspal Singh
30 Finney Well Close
Wolverhampton
WV14 9XN
Date: 29/11/2016

Richard Long
Housing Improvement Officer
Civic Centre,
St. Peter's Square
Wolverhampton
WV1 1SH

Re:- 2 ½ Clifford Street, Wolverhampton WV6 0AB

Dear Mr Long,

I receive your letter dated 2 November 2016, I am working on this please allow me few more weeks. I will come back to you.

You're faithfully,

J Singh

Sent from Outlook

Q 6

Jaspal Singh
30 Finney Well Close
Wolverhampton
WV14 9XN
Date: 12/12/2016

Richard Long
Housing improvement Officer
St Peter's Square
Wolverhampton
WV1 1SH

Re 2 ½ Clifford Street, Wolverhampton, WV6 0AB.

Dear Mr Long,

Thanks for the email dated 02/12/2016 as you need see the estimate and proof of funding, I have attached copy with this letter and time scale 8 weeks approx. If you need any more information please do not hesitate to write me.

Your faithfully,

J Singh

Info@nkglazing.co.uk

N K GLAZING LTD

windows doors and conservatories

MANUFACTURERS, SUPPLIERS & INSTALLERS OF uPVC:
Windows • Doors • Patios • Porches
Conservatories • Fascias • Guttering
137 - 142 Rolfe Street, Smethwick, Warley, B66 2BB

Tel/Fax: 0121 5584653 Company Number: 07284292 Mob: 07946 857255

Date: 12/12/2016 Reference No: J514

ESTIMATE 2 ½ Clifford Street, Wolverhampton, WV6 0AB

Flat 1 Downstairs

Main UPVC door need adjusting and fix Lock handle.

Internal doors need adjusting or replacing.

Whole floor boards need adjusting and some need replacing.

Bathroom, Kitchen floor & wall tiles need replacing.

Plaster, skim and paint needed where required.

Flat 2 Upstairs

Main UPVC door need adjusting and fix lock handle.

Plaster, skim and paint needed where required.

Internal doors need adjusting or replacing.

Floor boards and carpet needed on staircase.

Flat 3 steel staircase

New kitchen and tiles.

Replace complete bath.

Replace front door.

Internal doors & paint needed where required.

Flat 4 Rear

UPVC Door lock change

Replace new kitchen.

Complete new bath.

Replace tiles in kitchen and bath.

Plaster, skim and paint needed where required.

Plaster and paint outside the property, Estimate Labour and materials £10,500.00.

PASSBOOK

WEST BROMWICH
BUILDING SOCIETY

Account Number

S.R.

NAME(S) OF INVESTOR(S)

	CASH			DETAILS	BALANCE	WITHDRAWN	DATE
13/10/16	75250000			FUNDING	BALANCE BROUGHT FORWARD		1651.12
01/04/16	75250000			Tax		60.15	1585.15
13/10/16	75250000	Clear	10/10/16	20590	216,136.63		216,857.63
13/10/16	75250000			[illegible]		[illegible]	[illegible]

Jaspal Singh
30 Finney Well Close
Wolverhampton
WV14 9XN
Date: 29/11/2016

Richard Long
Housing Improvement Officer
Civic Centre,
St. Peter's Square
Wolverhampton
WV1 1SH

Re:- 2 ½ Clifford Street, Wolverhampton WV6 0AB

Dear Mr Long,

I receive your letter dated 2 November 2016, I am working on this please allow me few more weeks. I will come back to you.

You're faithfully,

I Singh

P10

Richard Long

From: Richard Long
Sent: 23 January 2017 11:42
To: jaz Singh (citysingh@hotmail.com)
Subject: RE: 2 ½ Clifford Street, Wolverhampton WV6 0AB [PROTECT]

PROTECT

Dear Mr Singh

Thank you for your letter dated 13 January 2017.

I have checked my records and your item 3 email of 20/12/16 was not received.

I am encouraged by the statement in your letter that you intend to progress work at the property and I would like to meet the builder and yourself at the property as soon as possible.

Please call the number below for an appointment.

Kind regards

Richard Long
Housing Improvement Officer
Tel. Office: 01902 555705

E-mail: Richard.Long@wolverhampton.gov.uk
City of Wolverhampton Council

From: Richard Long
Sent: 02 December 2016 12:38
To: jaz Singh
Cc: Clare Clifft
Subject: RE: 2 ½ Clifford Street, Wolverhampton WV6 0AB [PROTECT]

PROTECT

Dear Mr Singh

I have received both your email and hard copy letter. Unfortunately, the contents of the email/ letter are not enough for me to consider suspending action.

If you can provide sufficient written evidence to convince the Council that the property will be refurbished and occupied within a reasonable timescale, these documents can be considered further. Proof will be needed that a contractor(s) have been appointed and that funds are in place to carry out the agreed schedule of work.

If evidence is available, please provide this within 14 days of this email.

Civic Centre,
St. Peter's Square
Wolverhampton
WV1 1SH

Re:- 2 ½ Clifford Street, Wolverhampton WV6 0AB

Dear Mr Long,

I receive your letter dated 2 November 2016, I am working on this please allow me few more weeks. I will come back to you.

You're faithfully,

J Singh

Sent from Outlook

APP 36.

Cabinet Member Consultation			
Cabinet member(s) consulted	**Consulting employee**	**Mode of consultation**	**Primary date of consultation**
Cllr Peter Bilson Cllr Craig Collinswood Cllr Claire Dark Cllr Dr Michael Hardacre	Richard Long	Email	
Key comments arising from consultation (if applicable):			

This report is PUBLIC
[NOT PROTECTIVELY MARKED]

CITY OF WOLVERHAMPTON COUNCIL

Cabinet (Resources) Panel

28 March 2017

Report title	Acquisition of Privately Owned Empty Properties by agreement or Compulsory Purchase: Two and a Half Clifford Street, Whitmore Reans. WV6 0AB
Decision designation	AMBER
Cabinet member with lead responsibility	Councillor Peter Bilson City Housing and Assets
Key decision	No
In forward plan	No
Wards affected	Park
Accountable director	Lesley Roberts, Strategic Director, City Housing
Originating service	Private Sector Housing
Accountable employee(s)	Richard Long — Housing Improvement Officer Tel — 01902 555705 Email — Richard.long@wolverhampton.gov.uk
Report to be/has been considered by	Not applicable

Recommendation(s) for action or decision:

The Cabinet (Resources) Panel is recommended to:

1. Authorise the Strategic Director, City Housing to negotiate terms for the acquisition of the property, and, in default of that acquisition, give authority for a compulsory purchase order (CPO) to be made under Part II Section 17 Housing Act 1985 in respect of the property.

2. Approve expenditure for the potential acquisition of the property, with subsequent capital receipts being recycled within this programme.

3. In the event that the property is improved and re-occupied to the satisfaction of the Service Director for City Housing, authorise withdrawal of the property from the CPO.

4. Following any acquisition, authorise the Strategic Director, City Housing to dispose of the property on the open market on condition that the property is refurbished and re-occupied with in 6 or 12 months (as appropriate to the scale of the works).

5. Authorise the Director of Governance to –

   a) Take all reasonable steps as soon as it is reasonably practical to secure the making, confirmation and implementation of the CPO including the publication and service of all Notices and the presentation of the Council's case at any Public Inquiry.

   b) Approve agreements with the owners of the property setting out the terms for the withdrawal of objections to the CPO, and/or making arrangements for re-housing or relocation of any occupiers.

   c) Approve the making of a General Vesting Declaration (the property is brought into Council ownership via this process).

   d) Approve the disposal of the whole and/ or parts of the property by auction, tender or private treaty.

1.0 Purpose

1.1 The purpose of this report is to request the Panel to authorise the acquisition of Two and a Half Clifford Street, Whitmore Reans. WV6 0AB, by negotiation or by the making of a Compulsory Purchase Order under Section 17 of Part II of the Housing Act 1985 (CPO). Should it be possible to reach agreement on a mutually acceptable undertaking, agree to the withdrawal of the property from the CPO.

1.2 This decision is in support of City of Wolverhampton Council Empty Properties Strategy which aims to bring long term empty properties back into use.

1.3 The reoccupation of empty properties brings in additional income to the City Council via the New Homes Bonus paid to Local Authorities as a result of increased housing supply.

2.0 Background

2.1 The property highlighted on the attached plan contains four flats and a window manufacturing yard/ office. Complaints regarding the property were first received in May 2005. Complaints include fly tipping, inadequate housing standards and the general condition of the property.

2.2 A Notice under section 215 of the Town and Country Planning Act 1990 was served on the owner of the land in January 2015 in order to remove the detrimental effect the condition of the property/ land is having on the amenity of the area. Some works were carried out. However, the Notice has not been fully complied with complied with.

2.3 Occupation of the property is prohibited under the Housing Act 2004 and the owner is also subject to further enforcement in the form of a Community Protection Notice relating to housing management standards.

2.4 Attempts to resolve the situation informally including protracted discussions and offers by the Council to acquire the property have not resolved the situation or brought about a voluntary solution; it is now considered necessary to continue with formal action under the Empty Property Strategy.

2.5 The principle of establishing a revolving fund to drive forward the Private Sector Empty Property Strategy was approved by Cabinet on 11 January 2006. The revolving fund provides for properties that are consistent with the strategy to be acquired under compulsory purchase powers, marketed for sale and brought back into residential occupation. The arrangements proposed for the property at Two and a Half Clifford Street are consistent with that strategy. Should the Compulsory Purchase Order be confirmed in favour of the council, the council would seek to dispose of the property by auction. The property would be sold with the condition that the property is brought back to a required standard of repair within a specified time limit.

3.0 Proposals

3.1 Where it is necessary to make a Compulsory Purchase Order and this is subsequently confirmed in favour of the Council, the Council would seek to dispose of the property by tender, auction or private treaty. The property would be sold with the condition that the property is brought back to a required standard of repair within a specified time limit. This will also apply to any negotiated acquisitions.

4.0 Financial implications

4.1 In the event of an acquisition the costs can be met from the £540,000 capital budget for the Empty property strategy approved by Council on 20 July 2016. The subsequent sale of the property would result in a capital receipt, ring-fenced to finance future purchases through the Empty property strategy. Any non-capital costs incurred between purchase and sale, for example security measures, must be met from current private sector housing budgets.

4.2 The owner of the property has been served with a Section 215 Notice of the Town and Country Planning Act 1990 to tidy the land/ buildings. This has not been complied with and it will therefore not be necessary to pay the additional statutory 7.5% compensation payment.

4.3 Bringing empty properties back into use attracts New Homes Bonus to the City Council and could result in additional council tax revenue.

[JM/15022017/A]

5.0 Legal implications

5.1 Section 17 of the Housing Act 1985 empowers local housing authorities to compulsorily acquire land houses or other properties for the provision of housing accommodation. However the acquisition must achieve a qualitative or quantitative housing gain. In order to make a Compulsory Purchase Order under this power and achieve successful confirmation, the Council will need to show compliance with the requirements of the relevant statutory provision and circular 06/2004 Compulsory Purchase and the Crichel Down Rules. Where there are objections to a Compulsory Purchase Order the matter may go forward to a public inquiry and specialist Counsel may need to be engaged to present the Council's case.

5.2 Article 1 of Protocol 1 of the Human Rights Act 1988 guarantees peaceful enjoyment of possessions and would be engaged by the making of a CPO. However, the contents of this report and the actions recommended are considered to be proportional and compatible with the Human Rights Act 1988, particularly bearing in mind the above checks and balances on the Local Authority's power.

[RB/02032017/L]

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

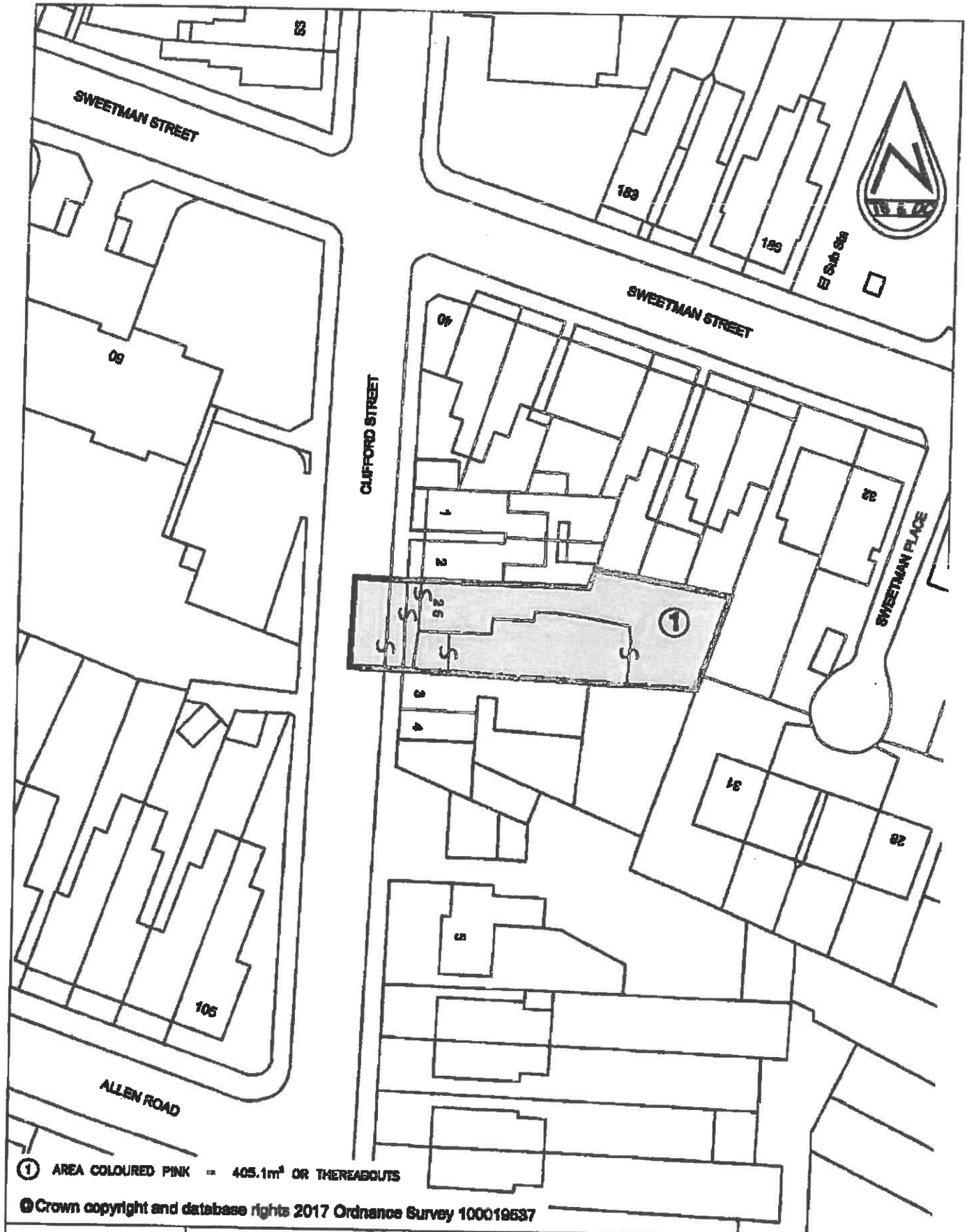
7.1 Long term empty properties can have a detrimental impact on neighbourhood sustainability and cause environmental blight. Bringing the property back into residential use will improve the appearance of the neighbourhood, enhance property conditions and contribute to the regeneration of the City, meeting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

8.0 Corporate landlord implications

8.1 Where applicable, corporate landlord will be required to produce valuations and arrange for the appropriate disposal of the property by auction or private treaty.

9.0 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;



1 AREA COLOURED PINK = 405.1m² OR THEREABOUTS

Date	February 2017
Scale	1:500
Drawn by	AJP
Drg. no.	\2B Clifford Street.dwg

THE MAP REFERRED TO IN
THE CITY OF WOLVERHAMPTON COUNCIL
(2B Clifford Street)
COMPULSORY PURCHASE ORDER 2017

City of Wolverhampton Council
Strategic Director – Place
Civic Centre, St. Peter's Square, Wolverhampton
Tel. (01902) 555555

HPP 37.

Appendix 37 – Two and a Half Clifford Street 17/4/2019

Appendix 37 – Two and a Half Clifford Street 17/4/2019

APP 38

Cabinet Member Consultation			
Report title:	Acquisition of Land Adjoining Two and a Half Clifford Street, Wolverhampton. WV6 0AB by Agreement or Compulsory Purchase.		
Cabinet member(s)) consulted	Consulting employee	Mode of consultation	Primary date of consultation
Councillor Peter Bilson Park Ward Councillors	Richard Long	Email and personal attendances if so required	
Key comments arising from consultation (if applicable):			

This report is PUBLIC
[NOT PROTECTIVELY MARKED]

CITY OF WOLVERHAMPTON COUNCIL	**Cabinet (Resources) Panel** 14 January 2020

Report title	Acquisition of Land Adjoining Two and a Half Clifford Street, Wolverhampton. WV6 0AB by Agreement or Compulsory Purchase.	
Decision designation	AMBER	
Cabinet member with lead responsibility	Councillor Peter Bilson City Assets and Housing	
Key decision	No	
In forward plan	Yes	
Wards affected	Park Ward	
Accountable Director	Kate Martin (Director of City Assets and Housing)	
Originating service	Private Sector Housing	
Accountable employee	Richard Long Tel Email	Housing Improvement Officer 01902 555705 richard.long@wolverhampton.gov.uk
Report to be/has been considered by	City Housing and Assets Leadership Team	10 December 2019

Recommendations for decision:

The Cabinet (Resources) Panel is recommended to:

1. Authorise the Director of City Assets and Housing to negotiate terms for the acquisition of the land identified as areas B and C on the attached plan and, in default of that acquisition, give authority for a compulsory purchase order (CPO) to be made under Part II Section 17 Housing Act 1985 in respect of the land.

2. Approve expenditure for the potential acquisition of the land, with subsequent capital receipts being recycled within the Empty Property Strategy programme.

3. In the event that the satisfactory registration of area B to the Council is achieved, authorise the Director of City Assets and Housing o withdraw the area from the CPO.

4. Following any acquisition, authorise the Director of City Assets and Housing to dispose of areas B and C in conjunction with the previously acquired property/ land (area A) on the open market on condition that the property/ land is refurbished, made safe and re-occupied/ re-used within 12 months.

5. Authorise the Director of Governance to:

   a) Take all reasonable steps as soon as it is reasonably practical to secure the making, confirmation and implementation of the CPO including the publication and service of all Notices and the presentation of the Council's case at any Public Inquiry.

   b) Approve agreements with the owners of the property setting out the terms for the withdrawal of objections to the CPO, and/or making arrangements for re-housing or relocation of any occupiers.

   c) Approve the making of a General Vesting Declaration (the property is brought into Council ownership via this process).

   d) Approve the disposal of the whole and/ or parts of the property by auction, tender or private treaty.

1.0 Purpose

1.1 The purpose of this report is to request the Panel to authorise the acquisition/ registration of two areas of land adjoining 2 and a Half Clifford Street by negotiation or by the making of a Compulsory Purchase Order under Section 17 of Part II of the Housing Act 1985 (CPO). Should it be possible to reach agreement on a mutually acceptable undertaking, agree to the withdrawal of the property from the CPO.

1.2 This decision is in support of the Council's Empty Properties Strategy which aims to bring long term empty properties back into use.

1.3 The reoccupation of empty properties brings in additional income to the Council via the New Homes Bonus paid to Local Authorities as a result of increased housing supply.

2.0 Background

2.1 The property/ land shown as area A on the attached plan was acquired by the council via a compulsory purchase order (CPO) and vested in the Council in April 2019.

2.2 Area B on the attached plan is unregistered and the Land Registry have requested a separate application be made to register title to the council. A request to register area B is in progress. However, it is not clear if registration will be successful or if Title Absolute of the land will be granted. As the outcome of the registration of area B is uncertain, it is prudent to include the area as it may be necessary to use CPO powers to acquire the land.

2.3 Area C on the attached plan is a derelict workshop registered under a separate title. Access to this area is only possible through area A and it would therefore be prudent to incorporate the area into the wider site prior to disposal.

2.4 The principle of establishing a revolving fund to drive forward the Private Sector Empty Property Strategy was approved by Cabinet on 11 January 2006. The revolving fund provides for properties that are consistent with the strategy to be acquired, marketed for sale and brought back into residential occupation. The arrangements proposed for the property identified are consistent with that strategy. Should the Compulsory Purchase Order be confirmed in favour of the Council, the Council would seek to dispose of areas A, B and C by tender, auction, or private treaty. The property and land would be sold with the condition that it is brought back to a required standard of repair within a specified time limit.

3.0 Evaluation of alternative options

3.1 There are two options that the Council could consider:

a) The Council dispose of area A without acquiring/ registering the adjoining land (areas B and C) - The issue of the unregistered land is likely to reduce the value of the property/ land. If area A is disposed of without access to area C, area C could potentially remain derelict and have an adverse effect on the surrounding properties. It is also possible that the owner of area C could make a claim against

the council for Severance and Injurious Affection as access to area C would be fettered.

b) Assemble the site to include areas A, B and C – The registration of area A and the acquisition of area B would maximise the value of the site and ensure claims for compensation by parties with an interest in the site are reasonable. Once assembled, the proposals for the onward disposal and refurbishment of the site are set out at 5.0 of this report ensure that the property is brought back into use at a minimum cost to the Public Purse.

3.2 Based on the above it is recommended that the option to assemble the site to include areas A, B and C prior to disposal is progressed.

4.0 Reasons for decision(s)

4.1 The reasons for the decision are:

a) To ensure that the property/ land provides much needed housing.
b) To ensure that the property/ land does not continue to be a drain on public resources.
c) To ensure that the detrimental effect that the property is having on the area is removed.
d) To maximise the value of the site.
e) To protect the Council from claims for severance and injurious affection.

5.0 Proposals

5.1 Council would usually seek to dispose of the property/ land by tender, auction, or private treaty. The property/ land would be sold with the condition that residential element is refurbished to the Decent Homes Standard within a specified time limit.

6.0 Financial Implications

6.1 In the event of an acquisition, the costs can be met from the approved capital budget for 2019-2020 of £256,000 for the Empty Property Strategy. The subsequent sale of the property would result in a capital receipt ring-fenced to finance future purchases through the Empty Property Strategy. Any non-capital costs incurred between purchase and sale, for example security measures, must be met from current private sector housing budgets.

6.2 As the Notice under Section 215 of the Town and Country Planning Act 1990 has not been complied with, the additional statutory 7.5% compensation payment will not be applicable in this case.

6.3 Bringing empty properties back into use attracts New Homes Bonus to the City Council and will result in additional council tax revenue.
[ ]

7.0 Legal implications

7.1 Section 17 of the Housing Act 1985 empowers local housing authorities to compulsorily acquire land houses or other properties for the provision of housing accommodation. However, the acquisition must achieve a qualitative or quantitative housing gain. In order to make a Compulsory Purchase Order under this power and achieve successful confirmation, the Council will need to show compliance with the requirements of the relevant statutory provision and circular 06/2004 Compulsory Purchase and the Crichel Down Rules. Where there are objections to a Compulsory Purchase Order the matter may go forward to a public inquiry and specialist Counsel may need to be engaged to present the Council's case.

7.2 Article 1 of Protocol 1 of the Human Rights Act 1988 guarantees peaceful enjoyment of possessions and would be engaged by the making of a CPO. However, the contents of this report and the actions recommended are considered to be proportional and compatible with the Human Rights Act 1988, particularly bearing in mind the above checks and balances on the Local Authority's power.
[ ]

8.0 Equalities implications

8.1 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.

9.0 Climate change and environmental implications

9.1 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.

10.0 Human Resources implications

10.1 There are no human resources implications arising from this report.

11.0 Corporate landlord implications

11.1 Where applicable, Corporate Landlord Estates Team will be required to produce valuations and arrange for the appropriate disposal of the property by auction or private treaty.

12.0 Health and Wellbeing implications

12.1 Bringing an empty property back into use will improve the health and wellbeing of the new occupants by providing safe and secure housing.

12.2 Enabling occupation and removing the detrimental effect of the property will reduce the anxiety associated with crime and the fear of crime that living adjacent to an empty property can cause.

13.0 Schedule of background papers

13.1 Acquisition of Privately-Owned Empty Properties by Agreement or Compulsory Purchase – Two and a Half Clifford Street 28 March 2017;

13.2 An Action Plan to Deliver the Empty Property Strategy 11 January 2006;

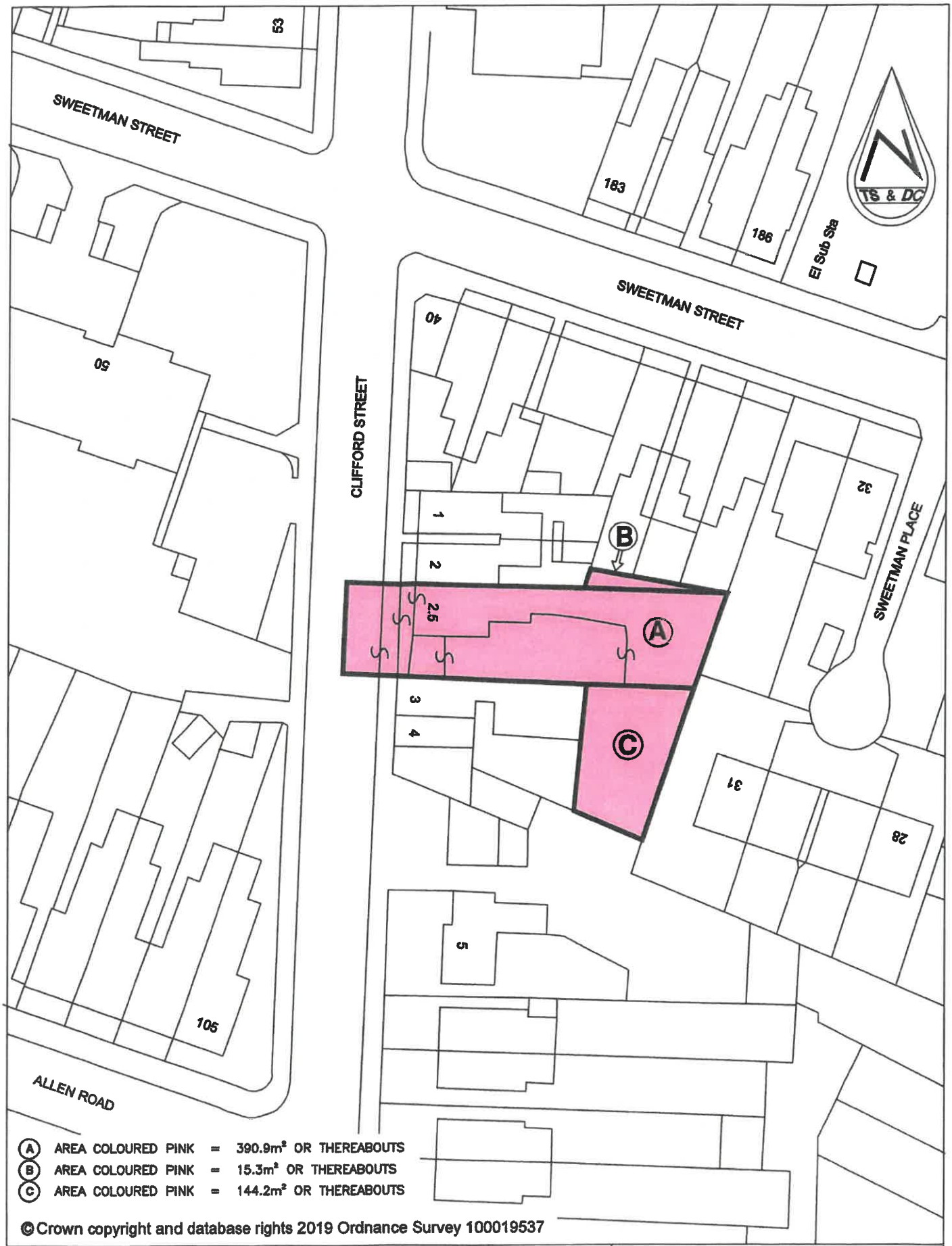
13.3 Private Sector Empty Property Strategy 2019-2024;

13.4 The Council's Annual Housing Supply Statement, 31 March 2019.

14.0 Appendices

14.1 Appendix 1 – Site plan

14.2 Appendix 2 - Photographs



(A) AREA COLOURED PINK = 390.9m² OR THEREABOUTS
(B) AREA COLOURED PINK = 15.3m² OR THEREABOUTS
(C) AREA COLOURED PINK = 144.2m² OR THEREABOUTS

date	November 2019
scales	1:500
drawn by	AJP
dwg. no.	\2B Clifford Street.dwg

THE MAP REFERRED TO IN
THE WOLVERHAMPTON CITY COUNCIL
(2B Clifford Street)
COMPULSORY PURCHASE ORDER 2020

City of Wolverhampton Council

Strategic Director – Place
Civic Centre, St. Peter's Square, Wolverhampton

Tel. (01902) 556556

Appendix 2

Appendix 2

APP 39

23 January 2020

CITY OF WOLVERHAMPTON COUNCIL

Jaspal Singh Sahota
30 Finney Well Close
Bilston
WV14 9NX

Dear Mr Sahota

2 ½ (2B) CLIFFORD STREET, WHITMORE REANS, WOLVERHAMPTON. WV6 0AB (TITLE NUMBERS SF41569 AND WM455308) IMPORTANT – DO NOT IGNORE THIS LETTER

On 2 April 2019, area A on the attached map vested in the Council following a compulsory purchase order.

Area B on the attached map is unregistered land and enquiries are currently underway to register this area.

On 14 January 2020, the Cabinet Resources Panel of the Council approved that areas B and C should be acquired by negotiation or by using Compulsory Purchase powers if necessary.

There is currently authorisation in place to agree compensation for area A and to agree a valuation by negotiation for area C. The Council will pay all reasonable legal and surveyors' fees in relation to the matter.

In order to proceed, you will need to appoint a RICS Chartered Surveyor and solicitor to act on your behalf in the negotiations. You will be compensated the agreed full market value of the property less any debts owing to the Council.

Please supply the contact details of your chosen surveyor if you intend to proceed with this option. If I have not heard from you within 28 days, the Council will progress the Compulsory Purchase of area C.

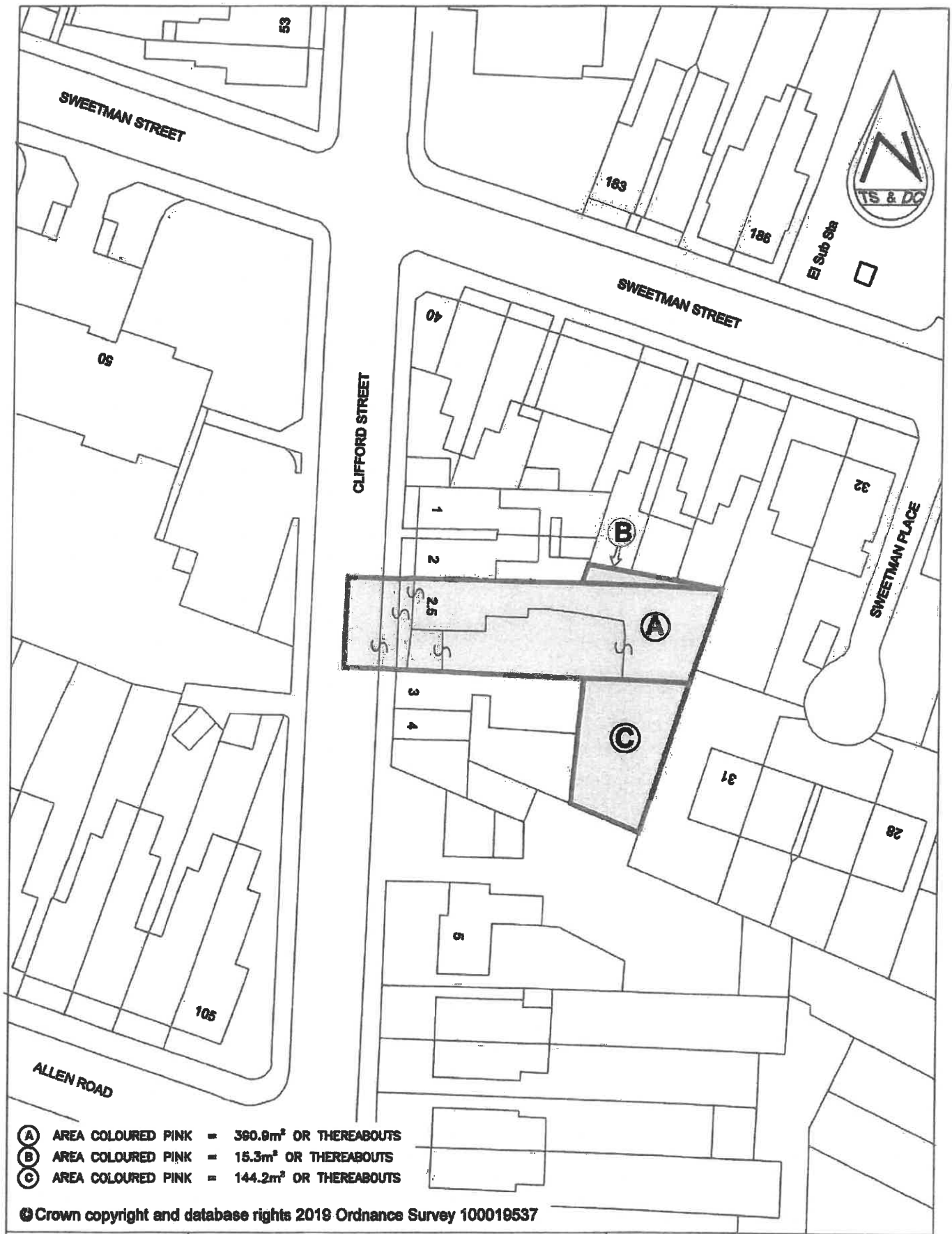
I look forward to hearing from you.

Yours sincerely

Richard Long – Housing Improvement Officer

Direct: 01902 555705

Email: richard.long@wolverhampton.gov.uk



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date November 2019 scale 1:500 drawn by AJP dwg. no. \2B Clifford Street.dwg	THE MAP REFERRED TO IN THE WOLVERHAMPTON CITY COUNCIL (2B Clifford Street) COMPULSORY PURCHASE ORDER 2020	**City of Wolverhampton Council** Strategic Director – Place Civic Centre, St. Peter's Square, Wolverhampton Tel. (01902) 556556

APP 40

CITY OF WOLVERHAMPTON COUNCIL

6 March 2020

Jaspal Singh Sahota
30 Finney Well Close
Bilston
WV14 9NX

Dear Mr Sahota

2 ½ (2B) CLIFFORD STREET, WHITMORE REANS, WOLVERHAMPTON. WV6 0AB (TITLE NUMBERS SF41569 AND WM455308) IMPORTANT – DO NOT IGNORE THIS LETTER

I have not received a response to my letter of 23 January 2020 (copy attached). This letter set out the current situation and the approach that the council intends to take regarding the whole site.

As previously stated, there is currently authorisation in place to agree compensation for area A and to agree a valuation by negotiation for area C. The Council will pay all reasonable legal and surveyors' fees in relation to the matter.

In order to proceed, you will need to appoint a RICS Chartered Surveyor and solicitor to act on your behalf in the negotiations. You will be compensated the agreed full market value of the property less any debts owing to the Council.

Please supply the contact details of your chosen surveyor if you intend to proceed with this option. If I have not heard from you within 14 days, the Council will progress the Compulsory Purchase of area C.

I look forward to hearing from you.

Yours sincerely

Richard Long – Housing Improvement Officer

Direct: 01902 555705

Email: richard.long@wolverhampton.gov.uk

23 January 2020

CITY OF WOLVERHAMPTON COUNCIL

Jaspal Singh Sahota
30 Finney Well Close
Bilston
WV14 9NX

Dear Mr Sahota

2 ½ (2B) CLIFFORD STREET, WHITMORE REANS, WOLVERHAMPTON. WV6 0AB (TITLE NUMBERS SF41569 AND WM455308) IMPORTANT – DO NOT IGNORE THIS LETTER

On 2 April 2019, area A on the attached map vested in the Council following a compulsory purchase order.

Area B on the attached map is unregistered land and enquiries are currently underway to register this area.

On 14 January 2020, the Cabinet Resources Panel of the Council approved that areas B and C should be acquired by negotiation or by using Compulsory Purchase powers if necessary.

There is currently authorisation in place to agree compensation for area A and to agree a valuation by negotiation for area C. The Council will pay all reasonable legal and surveyors' fees in relation to the matter.

In order to proceed, you will need to appoint a RICS Chartered Surveyor and solicitor to act on your behalf in the negotiations. You will be compensated the agreed full market value of the property less any debts owing to the Council.

Please supply the contact details of your chosen surveyor if you intend to proceed with this option. If I have not heard from you within 28 days, the Council will progress the Compulsory Purchase of area C.

I look forward to hearing from you.

Yours sincerely

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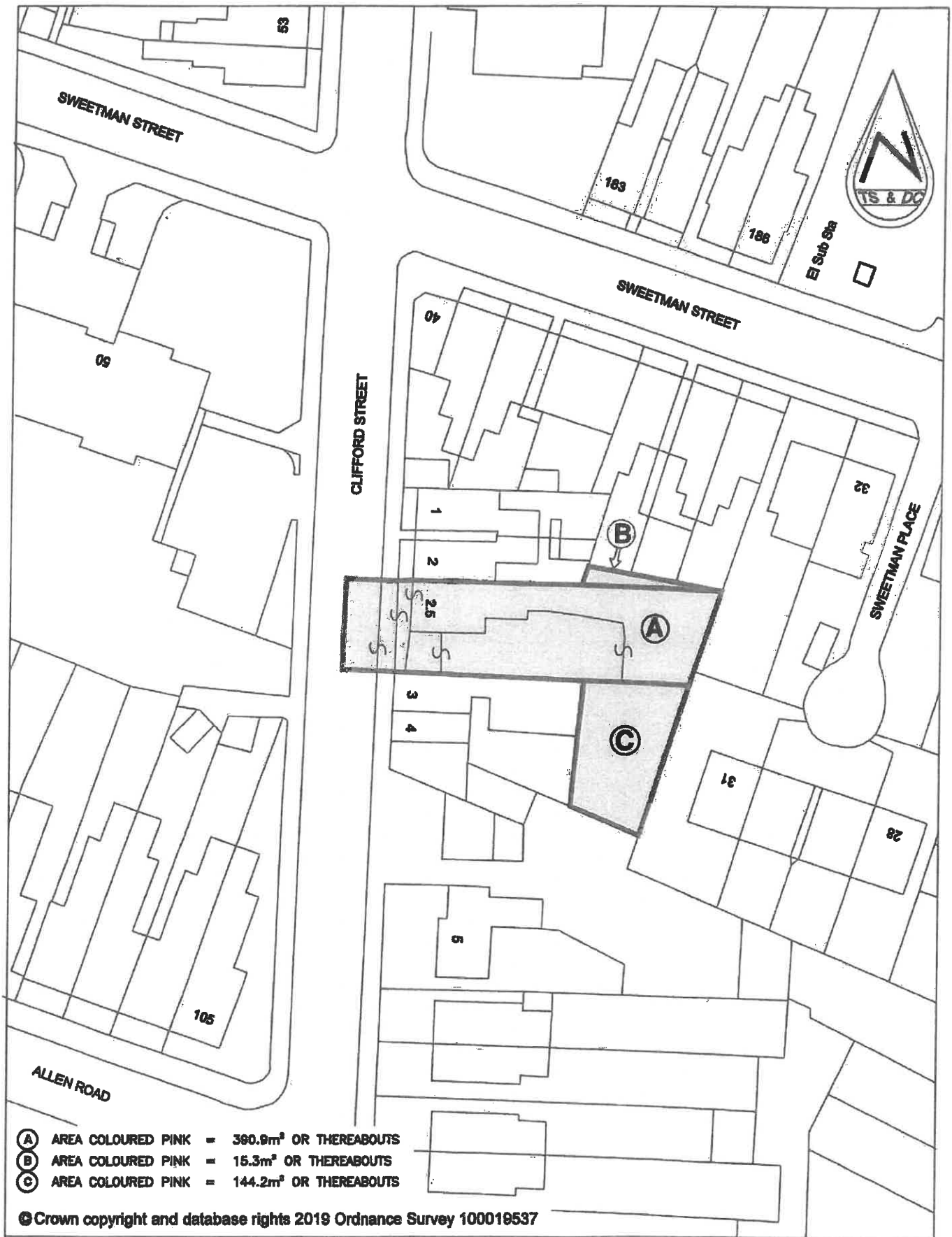

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date November 2019 scale 1:500 drawn by AJP dwg. no. \2B Clifford Street.dwg	THE MAP REFERRED TO IN THE WOLVERHAMPTON CITY COUNCIL (2B Clifford Street) COMPULSORY PURCHASE ORDER 2020	**City of Wolverhampton Council** Strategic Director – Place Civic Centre, St. Peter's Square, Wolverhampton Tel. (01902) 556556

APP 41

30 Finney well close
Wolverhampton
WV14 9XN
Date: 17th December 2020
Your Ref: RCP012580P/01205520

FAO: Bijl Patel
Planning Casework Unit
Ministry of Housing, Communities & Local Government
5 St Phillips Place
Colmore Row
Birmingham
B3 2PW

Dear Sirs/Madam,

RE: The Wolverhampton City Council (Land adjoining 2 & A Half Clifford Street, Whitmore Reans, WV6 0AB) CPO 2020

I write further to your email dated15th December last.

You advised me to serve my objections in writing via email. My legal advisor advised me to send the email, but also send a signed hard copy scanned send via email to make it more authentic, formal and official.

I note that the City of Wolverhampton is seeking your approval to serve CPO on the above property under *Part 7 of the Housing Act 1996*.
My understanding is that the intention of the Parliament in drafting Part 7 of the Housing Act is to allow the local government to acquire land to prevent homelessness, provide assistance to people threatened with or currently homeless.

The fact of the matter is that the said property marked sections B&C on the map is not vacant or available for purchase. It is being used by me. Section 'B' is built up and has a commercial unit being used as a factory, it will be reopened and it will provide employment for several people. The same is true of section marked 'C' on the enclosed map. The plot right in the middle marked 'A' is also owned by me. It has an office and accommodation which I have used before and intend to use in the near future as I have been asked to move out of my current accommodation. I will be using this section' A' as my office for the factory units and for my personal accommodation. I will be operating the two factory units from section marked 'A'

Under the circumstances, please forbid the council to acquire my plots of land sections marked B and C.

The secretary of State has the authority and jurisdiction to provide guidance to the local council under *section 182 of the Housing Act 1996,*

I will be grateful if you could consider my objections favourably to prevent my possible personal homelessness in the above matter

I look forward to hearing from you at your earliest.

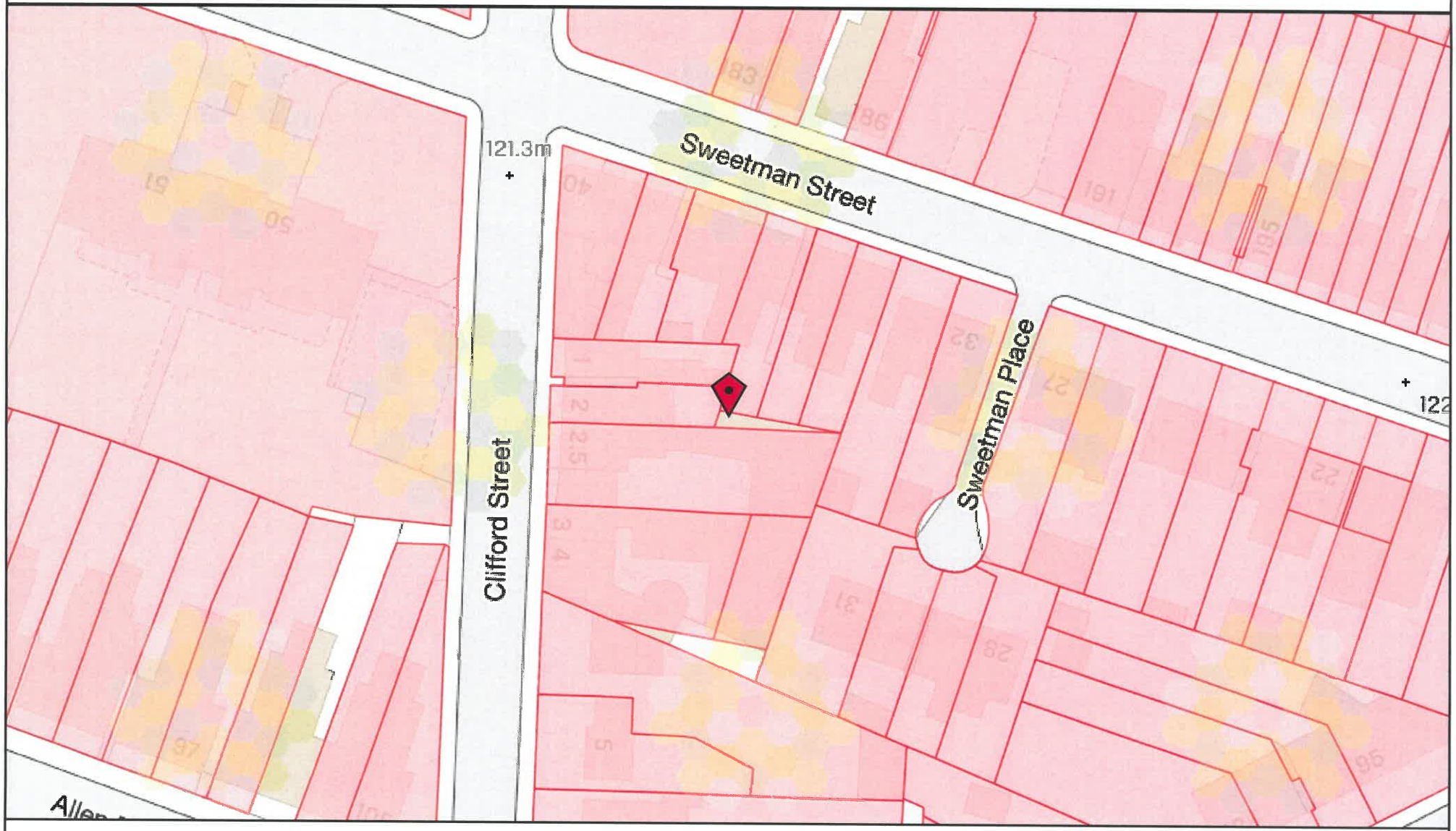
Yours faithfully

Jaspal Singh Sahota

APP 42

BETA HM Land Registry

MapSearch Snapshot



0 2 4 6 8 12 16 20m

Map scale 1:625

Data last updated 10:00pm 05 FEBRUARY, 2021

Title number	Estate information	Address
No registrations found		

APP 43

The electronic official copy of the register follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

HM Land Registry

Official copy of register of title

Title number SF41569 | Edition date 28.01.2020

- This official copy shows the entries on the register of title on 08 FEB 2021 at 12:09:38.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 08 Feb 2021.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry, Coventry Office.

A: Property Register

This register describes the land and estate comprised in the title.

WEST MIDLANDS : WOLVERHAMPTON

1 (25.07.1969) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 2 1/2 (2B) Clifford Street, Whitmore Reans (WV6 0AB).

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

1 (02.04.2019) PROPRIETOR: WOLVERHAMPTON CITY COUNCIL of Civic Centre, St. Peters Square, Wolverhampton WV1 1RG.

End of register

These are the notes referred to on the following official copy

The electronic official copy of the title plan follows this message.

Please note that this is the only official copy we will issue. We will not issue a paper official copy.

This official copy was delivered electronically and when printed will not be to scale. You can obtain a paper official copy by ordering one from HM Land Registry.

This official copy is issued on 08 February 2021 shows the state of this title plan on 08 February 2021 at 12:09:38. It is admissible in evidence to the same extent as the original (s.67 Land Registration Act 2002). This title plan shows the general position, not the exact line, of the boundaries. It may be subject to distortions in scale. Measurements scaled from this plan may not match measurements between the same points on the ground.
This title is dealt with by the HM Land Registry, Coventry Office .

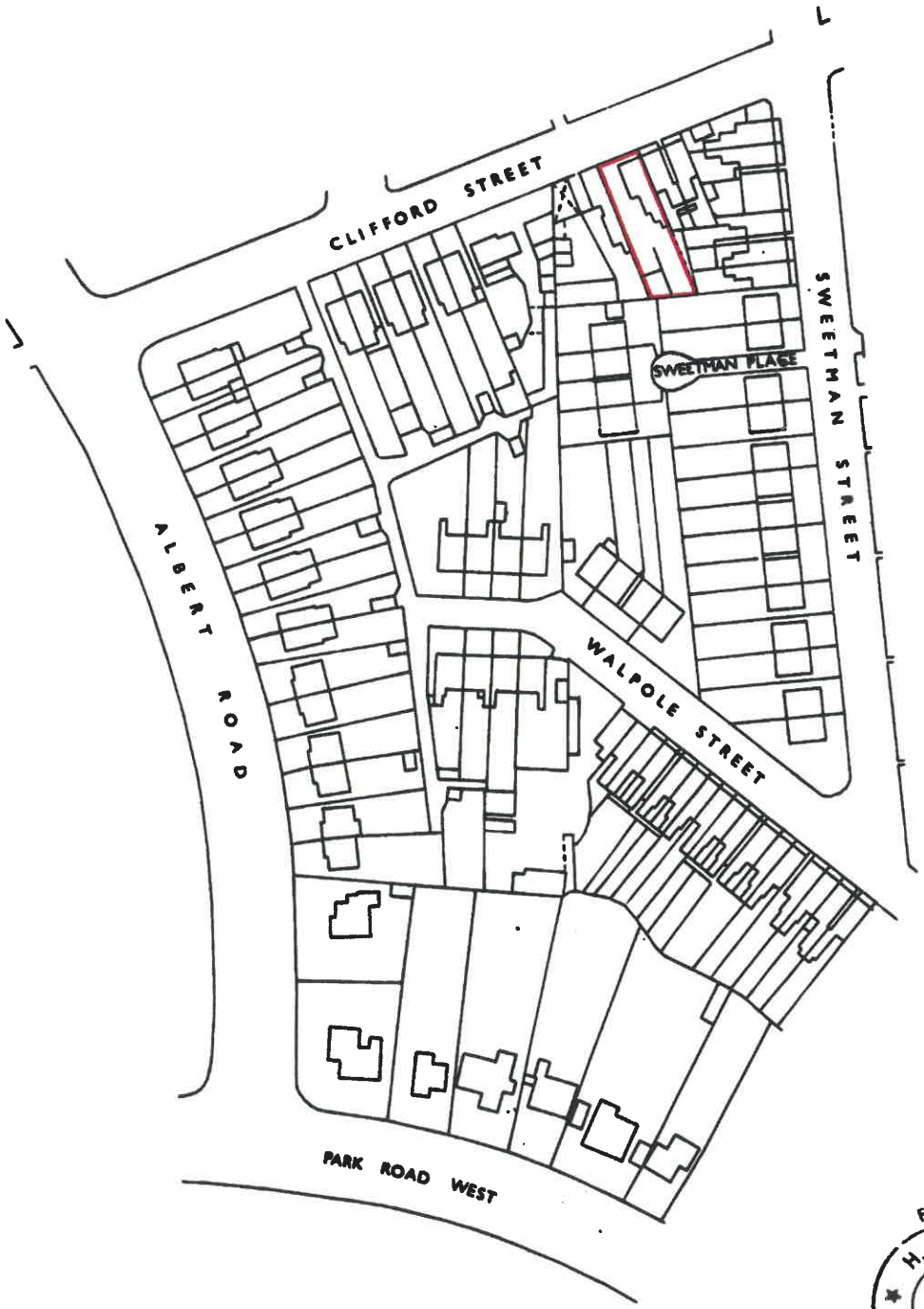
H. M. LAND REGISTRY

NATIONAL GRID PLAN SO9099 SECTION N

~~STAFFORDSHIRE~~

Scale 1/1250

COUNTY OF WEST MIDLANDS
WOLVERHAMPTON DISTRICT
~~WOLVERHAMPTON COUNTY BOROUGH~~



FILED PLAN
H.M. LAND REGISTRY

Title No. SF 41569