Agenda Item 10



Author/Lead Officer of Report: Neil Dunk

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	SHEFFIELD (3 Mulehouse Road) RY PURCHASE ORDER 2018		
Is this a Key Decision? If Yes, reason Key Decision - Expenditure and/or savings over £500,000 - Affects 2 or more Wards Which Cabinet Member Portfolio does this related Safety Which Scrutiny and Policy Development Committee Stronger Communities	o? Neighbourhoods and Community		
Has an Equality Impact Assessment (EIA) been undertaken? Yes x No If YES, what EIA reference number has it been given? 249 Does the report contain confidential or exempt information? Yes No x If YES, give details as to whether the exemption applies to the full report / part of the report and/or appendices and complete below:- "The (report/appendix) is not for publication because it contains exempt information under Paragraph (insert relevant paragraph number) of Schedule 12A of the Local Government Act 1972 (as amended)."			

Purpose of Report:

The purpose of this report is to seek authority to make a Compulsory Purchase Order in respect of 3 Mulehouse Road, Sheffield, S10 1TA to allow it to be renovated and occupied. There is demand for this type of property within the area. The Property is empty and has a particularly detrimental effect on the neighbourhood in this area. Compulsory Purchase is the most appropriate course of action.

Recommendations:

- R1) That authority be given to the Council to make a Compulsory Purchase Order ("CPO") under the powers conferred by Section 17 Housing Act 1985 to acquire all land interests in respect of the land coloured pink as shown on the Order Map, attached at Appendix 3, with title 'The City of Sheffield (3 Mulehouse Road) Compulsory Purchase Order 2018' (the "Order Land").
- R2) That the Director of Legal & Governance be authorised to make the CPO for the Order Land, to take all necessary procedural steps prior to and after the making of the CPO, to enable the CPO to be submitted to the Secretary of State for confirmation including:
- a) Finalising the attached draft Statement of Reasons, at Appendix 1;
- b) Serving notices of the making of the CPO on all persons entitled to such notice and placing all necessary notices in the press and on/around the Order Land;
- c) To submit the CPO to the Secretary of State for confirmation as soon as possible following making of the CPO; and
- d) To self-confirm the CPO if authorised to do by the Secretary of State.
- R3) That the Director of Legal & Governance be authorised to sign and serve any notices or documents necessary to give effect to these recommendations and to take all the other actions necessary to give effect to these recommendations.
- R4) As soon as the CPO is confirmed by the Secretary of State or self -confirmed where authorised by the Secretary of State, to advertise the confirmation of the CPO and serve all necessary notices of the confirmation and once the CPO becomes operative, the Director of Legal & Governance in consultation with the Executive Director of Resources be authorised to execute General Vesting Declarations under the Compulsory Purchase (Vesting Declarations) Act 1981, at the earliest opportunity and to thereafter serve all necessary documents and notices of the vesting of the Order Land in the Council.
- R5) That the Executive Director Place, in consultation with the Director of Legal & Governance and the Executive Director of Resources be authorised to manage the compulsory purchase process in accordance with all statutory requirements and to otherwise promote or supporting the promotion of confirmation of the CPO including the preparation of and giving of evidence at any public inquiry.
- R6) That the Chief Property Officer be authorised to agree terms for the acquisition of Order Land and to instruct the Director of Legal and Governance to complete the necessary documents.
- R7) That upon the completion of the acquisition of Order Land, the Chief Property Officer negotiates the disposal of the land and be authorized to instruct the Director of Legal and Governance to complete all the necessary legal documents for the completion of the disposal.

Lead Officer to complete:-		
1	I have consulted the relevant departments in respect of any relevant implications indicated on the Statutory and Council Policy Checklist, and comments have been incorporated / additional forms completed / EIA completed, where required.	Finance: Karen Jones
		Legal: David Sellars
		Equalities: Louise Nunn
	Legal, financial/commercial and equalities implications must be included within the report and the name of the officer consulted must be included above.	
2	EMT member who approved submission:	Laraine Manley
3	Cabinet Member consulted:	Jim Steinke
4	I confirm that all necessary approval has been obtained in respect of the implications indiction on the Statutory and Council Policy Checklist and that the report has been approved for submission to the Decision Maker by the EMT member indicated at 2. In addition, any additional forms have been completed and signed off as required at 1.	
	Lead Officer Name: Neil Dunk	Job Title: Legal & Policy Officer
	Date: 29 October 2018	

1. PROPOSAL

- The proposal is to compulsorily purchase 3 Mulehouse Road in order for 1.1 the property to be refurbished and brought back into use. The reason for this proposal is that, due to the lack of progress from the owner in carrying out refurbishment of the Property, along with any meaningful proposals for bringing it back into occupation, the Council believe that the Property will remain in a state of serious disrepair and unoccupied without Council intervention. Obtaining a compulsory purchase order (CPO) will enable the Property to be disposed of on the open market for a new owner to renovate and arrange to be occupied. The Council has powers to make a CPO for the acquisition of land for the purpose of providing housing. This power includes the acquisition of empty properties as an option of last resort where there appears to be no other prospect of those empty properties being brought back into use. The Statement of Reasons sets out the reasons why the Council wishes to purchase the Property.
- 1.2 The Council's preferred option for disposal is by auction. There is a buoyant property market within the area which is detailed in the Statement of Reasons.
- 1.3 The Property is a three bed roomed end terrace house of brick and stone fronted, slate roofed construction and has been empty since at least June 2004 when officers from Private Housing Standards first visited the property. A plan of the land proposed to be acquired has been prepared entitled "Map referred in The City of Sheffield (3 Mulehouse Road) Compulsory Purchase Order 2018" and is now displayed and submitted to Cabinet for approval. This map shows the land to be acquired coloured pink.
- 1.4 The Property is in a very poor state of repair, both externally and internally, with category 1 hazards present including damp & mould, excess cold, domestic hygiene, food safety, personal hygiene, falls on level surfaces, falls associated with stairs, falls between levels and electrical hazards.
- 1.5 Since the Council initially visited the Property in 2004, there have been a total of eight complaints received about its condition.
- 1.6 The Council has written to the owner on a number of occasions, with four letters sent in 2017, attempting to engage with the owner in order to seek a voluntary solution to the serious disrepair of this Property. Despite the owner's responses and repeated claims that work would be undertaken, there has been no satisfactory progress made by the owner in refurbishing the Property.

- 1.7 In April 2015, a notice was served on the owner under Section 59, Building Act 1984 to deal with defective drainage. In this instance, work was completed by the owner.
- 1.8 In December 2012 and November 2016, Improvement Notices were served on the owner due to the presence of category 1 hazards at the Property, requiring the owner to take action to remedy the hazards. The hazards observed were damp and mould, excess cold, domestic hygiene, pests and refuse, food safety, personal hygiene, falls on level surfaces, falls associated with stairs, falls between levels and electrical hazards. No works to comply with these notices have been carried out to date.
- 1.9 In August 2017, and again in August 2018, the Council wrote to the owner offering to purchase the Property at its open market value. No response was received to these offers.
- 1.10 The Council's proposals, including further details on the property, its history and previous Council involvement, are included in the Statement of Reasons set out in Appendix 1 to this report.

2. HOW DOES THIS DECISION CONTRIBUTE?

2.1 This proposal supports the following Councils objective set out in its Corporate Plan 2015 -18

Thriving Neighbourhoods and Communities

- 2.2 Long term empty properties commonly attract anti-social behaviour thus increasing the fear of crime for neighbours. Typically, gardens are used to dump refuse, windows are smashed, doors are forced open and the property used for criminal activity, including drug taking. Once these activities commence, the condition of the property quickly deteriorates, further increasing the negative effect of the property on the neighbourhood.
- 3 Mulehouse Road has experienced some of these problems. The Council has received a number of complaints in respect of the property, including reports that the property has been broken into and vandalised. Enabling the property to be put back into occupation will remove these negative impacts on the local community.
- 2.4 The Council is committed to increasing the availability of residential accommodation within Sheffield and to this end, it aims to build 15,000 new homes over the next decade. The Corporate Plan 2015-18 also states 1,500 new private sector homes are needed each year. Bringing empty properties back into occupation supports this goal of increased

housing provision in the city.

- Over half a million people live in Sheffield. Of those, around 75% of households are in the private sector; either as an owner occupier or a private renter (Source: 2011 Census for Sheffield).

 https://www.sheffield.gov.uk/your-city-council/sheffield-profile/population-and-health/2011-census/key-statistics.html) which puts an increased strain on demand for good quality, affordable housing.
- 2.6 Many people in Sheffield choose to live in the city long term, with nearly three quarters of people moving home within the city's boundary. (Source: Sheffield City Council Corporate Plan 2015-18) However, in recent years, the house building rate has fallen substantially compared to pre-recession rates (Source: State of Sheffield reports https://www.sheffieldfirst.com/key-documents/state-of-sheffield.html).
- 2.7 Although it is not illegal for owners to leave their property empty, the council chooses to work pro-actively in bringing problematic empty properties back into use. By tackling such empty properties in this manner, it demonstrates the Council's commitment to acting pro-actively in preventing such a waste of housing provision and the many negative effects empty properties can have on a neighbourhood.

Strong Economy

2.8 Bringing long term empty properties back into occupation increases the local population and thereby contributes towards creating conditions for local businesses to grow. The success of local businesses acts as a catalyst in attracting further investment and with it, economic growth.

Better Health and Wellbeing

2.9 The poor state of repair of the Property and the associated anti-social behaviour exhibited has a negative effect on neighbouring properties, impacting on the health and wellbeing of the occupiers.

3. HAS THERE BEEN ANY CONSULTATION?

3.1 There is no statutory requirement to consult on these proposals. However, neighbours of 3 Mulehouse Road have made repeated complaints regarding the condition of this Property and the Council has engaged with them to discuss their concerns.

4. RISK ANALYSIS AND IMPLICATIONS OF THE DECISION

4.1 Equality of Opportunity Implications

In carrying out any of its functions, the Council needs to be mindful of the Public Sector Equality Duty ('PSED') contained in Section 149 of the Equality Act 2010. Amongst other things this duty requires the Council to have due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it. The relevant protected characteristics are age, disability, gender reassignment, pregnancy and maternity, race; religion or belief, sex and sexual orientation. The Council in the development of these proposals has had regard to its PSED and considers that the proposals do not give rise to any equality issues under this duty.

- 4.1.1 See Equality Impact Assessment in Appendix 2.
- 4.2 Financial and Commercial Implications
- 4.2.1 The Council will be required to pay compensation to the current owner based upon the open market value of the Property in the condition that the Property is in at the time the Council take possession. The Council will also be required to pay the surveyors and legal fees and the costs of public notices which are incurred as a result of the compulsory purchase. The owner may also be entitled to a basic loss payment of 7.5% of the open market value. The Council will incur costs and expects to recover these from the sale proceeds.
- 4.2.2 The costs are detailed in Appendix 4 and will be met out of Private Housing Standards' budget. It is anticipated that the cost of the purchase price will be met from the sale proceeds and the Private Housing Standards budget will be refunded to that degree.
- 4.2.3 Officer time relating to this proposal will be met from already approved Private Housing Standard budgets.

4.3 Legal Implications

4.3.1 Under s17 Housing Act 1985 the Council has powers to make a CPO for the acquisition of land for the purpose of providing housing. This power includes the acquisition of empty properties where there appears to be no other prospect of those empty properties being brought back into use. The Statement of Reasons attached as Appendix 1 to this report sets out the reasons why the Council wishes to purchase the Property. It also sets out the justification for compulsory purchase, and addresses the Human Rights implications.

The Council, to enable it to make the CPO, is required to take certain actions, including serving a notice of the making of the CPO, on all relevant parties and submitting the CPO to the Secretary of State, for approval. The report recommendations provide the necessary authority for the exercise of these functions.

The freehold interest in 3 Mulehouse Road is subject to the usual easements you would expect to see where there are properties in close proximity, such as rights reserved to adjacent properties, for example drainage easements. There are also rights of way affecting the property reserved to the owners of 175 Crookes, 177 Crookes and 179 Crookes. These do not affect the Council's intentions and it is not the Council's intention to in any way interfere with any of these interests. The owners of these three properties will be notified of the Council's intentions and the interests will be noted in Part 2 of Table 2 of the CPO.

Where the CPO is confirmed, the Council will need to acquire the land and once this is achieved, deal with the disposal of the land, to achieve the purpose for making the CPO. The report recommendations provide the necessary authority for the exercise these functions.

5. ALTERNATIVE OPTIONS CONSIDERED

5.1 **Demolition**

The Property is in a state of disrepair empowering the Council to take various steps to remedy the problem, including renovation and demolition. As the Property is an end terrace house, the demolition option would not be practical as support is required to the adjacent property. Demolition will not result in the provision of housing as it is believed that it is unlikely the owner would rebuild should this option be taken.

5.2 Renovation

The Council first visited the Property in 2004 and found it be vacant. From this date, the Council has not observed or received any information that the property has been occupied. The owner has taken inadequate steps to prevent its deterioration despite the Council writing on several occasions to the owner to express their concern over the condition of the property and asking for the owner to explain his intentions for renovation and bringing the property back into occupation. It is therefore unlikely, should the Council do works in default, that this would result in the improvements to the Property being sustained. In those circumstances this option would be a poor use of limited resources and unlikely to achieve its purpose.

5.3 Empty Dwelling Management Orders

These orders enable the Council to effectively step into the shoes of the owner and manage the property. However, prior to occupation, the Council would have to refurbish the property. Given the poor condition of the property, the cost of bringing it up to a habitable condition is likely to be significant. Furthermore, it is doubtful that the rental income would cover the costs within the timescale of the EDMO, which is seven years. Therefore it is highly likely that the Council would be unable to recover the significant costs of refurbishment, making this option inappropriate.

5.4 Purchase by Agreement

The Council have actively pursued this option which would have enabled it to sell the Property at auction, so that it could be renovated and reoccupied. On 15 August 2017 and 6 August 2018, the Council wrote to the owner to offer to purchase the property by agreement. No response was received by the Council to those letters. However, the Council will continue to attempt to negotiate with the owner for as long as it considers reasonable to do so.

5.5 **Compulsory Purchase**

5.5.1 All attempts at working with the owner have failed, as detailed in the Statement of Reasons. Due to the owner's failure to take proper action, the property, for which there is a demand, has remained in a poor state of repair for a significant period and there is little prospect of it being brought back into occupation. Compulsorily purchasing the Property is currently the only feasible option to ensure its renovation and reoccupation. For these reasons, this is the preferred option.

6. REASONS FOR RECOMMENDATIONS

6.1 The property has been vacant since at least 2004 and is in a poor state of repair, attracting anti-social behaviour and is having a negative impact on the local community. There is a demand for this type of property within Sheffield and the Council has, without success, attempted to engage with the property owner, in an effort to get the property back into occupation, including an offer to purchase the property by agreement. In addition, particularly in respect of recent enforcement action taken by the Council, the owner has failed to take reasonable steps to make the property safe. In those circumstances, as an option of last resort, the Council consider, to ensure to property is put back into occupation, that it is appropriate to seek a CPO in respect of the property.

THE CITY OF SHEFFIELD (3 Mulehouse Road) COMPULSORY PURCHASE ORDER 2018

STATEMENT OF REASONS

1.0 Property Description, Condition and Location

- 1.1 3 Mulehouse Road, Sheffield, S10 1TA (the Property) is a three bed roomed end terrace house of brick and stone fronted, slate roofed construction. The Property is situated close to the main road through the district of Crookes and approximately two miles west of Sheffield city centre. It has been used for residential accommodation but officers from the Council's Private Housing Standards have been visiting the Property on a regular basis since June 2004 and have commented that the property was vacant at several inspections^{10,2a}. The Property has been registered as empty since 1 April 2009 (source: Council Tax database^{10,1}).
- 1.2 The first complaint was received by the Council in June 2004^{10.2} regarding the general condition of the Property and that the Property had been broken into. The Council wrote to the owner, drawing this matter to his attention^{10.2a}. In June 2005, a complaint was received from the owner of No. 5 Mulehouse Road regarding serious deterioration of the rear bedroom window and the amount of weeds from the front yard. ^{10.3}
- 1.3 In February 2012, an external inspection appeared to show that no further refurbishment had been undertaken by the owner^{10.4}. Following a period of time during which the owner made several claims that the property would shortly be refurbished, it became evident that no works were being undertaken. In October 2012, an internal inspection was carried out under a Warrant of Entry^{10.4a}. In December 2012, Improvement Notices were served on the owner due to the presence of category 1 hazards at the property, requiring the owner to take action to remedy the hazards^{10.5}. The Hazards observed were damp and mould, excess cold, domestic hygiene, pests and refuse, food safety and falls on level surfaces. No works to remedy these hazards, as required by the notices, have been carried out to date.
- 1.4 In November 2014 a complaint was made by a neighbour to South Yorkshire Police regarding numerous attempted break-ins by youths^{10.6}. The Council received a Police referral in respect of the dangerous condition of the property and outbuildings and its Structural and Public Safety Team served a Dangerous Structures Intimation Notice on the owner to secure the garage at the rear of the Property against un-authorised entry^{10.7}. The notice was complied with by the owner.
- 1.5 In March 2015, a complaint was received from the owner of No. 5 Mulehouse Road complaining of penetrating damp in her property which she believed was due to the condition of No. 3 Mulehouse Road^{10.8}. A subsequent inspection of 5 Mulehouse Road revealed evidence of water penetration in the

- rear bedroom and rear kitchen. A notice was served in April 2015, under Section 59, Building Act 1984, to deal with defective drainage^{10.9}. Work to this notice was completed by the owner.
- 1.6 In April 2016, a complaint was received from a neighbour regarding the condition of the property and the number of strangers seen at the rear of the property^{10.10}. In the same month, a complaint was received stating the front door had been vandalised.^{10.10a}
- 1.7 In December 2016, an Abatement notice was served on the owner due to the evidence of penetrating damp from this property into no. 5 Mulehouse Road^{10.11}. No works to comply with this notice have been carried out to date.
- 1.8 In January 2017, following a full inspection carried out in November 2016, a further Improvement Notice was served on the owner due to the presence of category 1 hazards at the property requiring the owner to take action to remedy the hazards^{10.12}. The hazards observed were damp & mould, excess cold, domestic hygiene, food safety, personal hygiene, falls on level surfaces, falls associated with stairs, falls between levels and electrical hazards. No works to remedy these hazards, as required by the notice, have been carried out to date.
- 1.9 In November 2017, a complaint was received from a neighbour regarding the sighting of a dead animal inside the Property and the dangerous condition of the slate roof covering. 10.12a

2.0 Purpose in Acquiring the Property and Future Use.

- 2.1 The purpose of acquisition is for the Property to be renovated and reoccupied.
- 2.2 This proposed Compulsory Purchase Order (CPO) is a last resort measure as the property has been vacant since at least June 2004 and the owner has not taken adequate steps to prevent its deterioration. There is demand for this type of property within its locality. The Council, in addition to offering support and advice to the owner, has served improvement notices on the owner to remedy category 1 hazards and an abatement notice to prevent penetrating damp, but the owner has not taken reasonable steps to put the property back into occupation or to ensure it is properly maintained.
- 2.3 The Council seeks a CPO in respect of the Property to enable it to be sold on the open market and be put back into occupation. Demand for properties in this area is strong. The intention is to sell the Property at auction immediately following acquisition. The Council will place a covenant on the sale stating the Property must be refurbished within 12 months of purchase and occupied within 18 months of purchase.

3.0 Ownership

3.1 The registered proprietor of the Property according to Land Registry is Nigel Dalton Crosthwaite of Apartment 114, Queens Court, 50 Dock Street, Kingston Upon Hull, HU1 3DL. In February 2013, we received an email from an officer in Hull City Council stating that, according to their records, Mr

- Crosthwaite had not lived in Queens Court since 2005 and that the property is recorded as empty although still owned by Mr Crosthwaite. (see 10.2a)
- 3.2 The Council has received notification that the owner has lived at different addresses over the years. The last notification received in November 2016 was from Mr Crosthwaite who confirmed his current address.

4.0 Contact with the owner

- 4.1 The Council first wrote to Mr Crosthwaite on 14 June 2004 offering advice and assistance in bringing the Property back into occupation. The letter also brought items of disrepair to the attention of the owner as well as seeking his intentions in respect of the Property. No response was received to this letter.
- 4.2 Since this initial letter, a further fourteen letters have been sent to the owner, to the Property and various addresses that the Council believed, at the time sent, was Mr Crosthwaite's current residence. In 2017, the Council wrote four letters 10.13 to the owner to offer assistance to enable the property to be put back into occupation. The final letter indicated that if an adequate response was not received the Council intended to seek a CPO in respect of the property and as alternative, an offer was made to purchase the Property by agreement. No response has been received to any of these letters.
- 4.3 On 27 August 2010, a Council officer traced the owner following information found on a Land Registry search and spoke to the owner who stated his intention was to renovate 3 Mulehouse Road as his permanent residence 10.14.
- 4.4 In June and July 2012, in discussion with the Council's Planning Department, the owner made enquiries about constructing a two storey extension to the rear of the Property. This enquiry was not supported due to its impact on neighbours. In August 2016, following further plans submitted, the Council's Planning Department once more considered that the proposals would not be considered acceptable and the reasons for this were confirmed to the owner's architect 10.15.
- 4.5 In March 2015, the owner emailed Private Housing Standards stating that he was aware that the Property was in need of renovation and that he would be attending to start within the next few months^{10.16}. The Council carried out an internal inspection of the Property on 18 November 2016^{10.17} which revealed that it remains in a poor state of repair, and that works carried out to the property had been to remove several ceilings, several internal partition walls and the wall plaster to several rooms. The Property was also visited on 19 March 2018 under a warrant of entry. Access was gained and the Property remains in the same poor state of repair as was noted on the previous visit made on 18 November 2016.
- 4.6 In August 2017, the Council wrote to the owner informing him that a report recommending compulsory purchase would be submitted for approval by the Council's Cabinet but, whilst this process was underway, he may wish to sell the Property to the Council by agreement. The Council also wrote to the owner in August 2018, again offering to purchase the Property by agreement. No response has been received to these letters.

5.0 Housing Need

- 5.1 According to the 2011 Census, there were 539,064 people living in Sheffield in 236,811 dwellings. This Census also states that there were 229,928 households living in Sheffield^{10.18}. According to Sheffield City Council's Housing Solutions Team, as of February 2018, there were 95 households who were living in homeless temporary accommodation^{10.19}.
- 5.2 The 2015 Private Stock Condition Survey estimated that 29,333 dwellings in Sheffield (12% of the stock) were found to have Category 1 Hazards (serious risk of harm to the health or safety of an actual or potential occupier) 10.19a
- In March 2018, Council stock numbered 39,559 dwellings. A breakdown of this stock shows 46% are houses, 40% are flats, 7% are bungalows and 7% maisonettes. A breakdown of Council stock by size shows 36% are 2 bed, 34% are 1 bed, 28% are 3 bed, under 1% are 4+ bed and under 1% are bedsits. (Source: Sheffield City Council Local Authority Housing Statistics and Annual Housing Statistics 2017/18 (not yet published))^{10,20}
- 5.4 According to Council Tax records from April 2018, there are currently 2091 long term (over 6 months) empty properties in Sheffield^{10.21}.
- 5.5 Mulehouse Road is located in the district of Crookes which falls into the Housing Market Area classed as City Centre West, largely consisting of student neighbourhoods (Source: Housing Market Profiles 2016 https://www.sheffield.gov.uk/content/sheffield/home/housing/sheffield-housing-market.html) 10.22
- 5.6 The Housing Market Profiles (HMP) 2016 report states that there is need for two and three bedroom family housing for sale in this City Centre West area as these size properties make up the greatest shortfall in the area^{10.23}. The report also states that the City Centre West area has a low percentage of households living in three bed properties that intend to move over the next five years (21% compared to 37% city wide)^{10.24}. This will limit the options available for those seeking this type of accommodation.
- 5.7 The HMP states that there was a turnover of 8% of the privately owned stock in the area in 2016 compared to 5% city wide, thus demonstrating a strong demand for properties in the area^{10.25}.
- In order to further establish demand in the area, local estate agents with offices in the area were contacted. The Council received a response from Morfitt Smith Estate Agents who have an office in Crookes and who deal with three bedroom accommodation in the Crookes area. They indicated that where they let such properties, they are usually let within one to three weeks of the property being advertised. Where they sell the property, a sale is usually agreed within two weeks. They also confirm that there is a very high demand in Crookes, normally with multiple offers, for this type of accommodation. The agents state that there is good demand from families, young couples and first time buyers^{10.26}.
- 5.9 The Council's Corporate Plan 2015-18 states 1,500 new private sector homes are needed each year.

6.0 Environmental Impact

- 6.1 The visual impact of the Property is having a detrimental effect on the neighbourhood. Various complaints received and inspections made by the Council have revealed that the Property is in a poor state of repair and has been broken into and left insecure on occasions. In addition one complaint referred to penetrating damp in an adjacent property.
- 6.2 Empty properties commonly attract crime and anti-social behaviour including graffiti, nuisance, vandalism, fly tipping, break-ins and, in extreme cases, arson. The cumulative effect of such properties can lead to whole areas becoming run down, unstable and, ultimately, unsustainable. In the case of this Property, a report was made to the Council in April 2016 stating the front door had been vandalised.

7.0 Justification for Compulsory Purchase

7.1 Section 17 Housing Act 1985 provides that local authorities are empowered to acquire land for the purpose of providing housing and this extends to acquiring empty properties by compulsory purchase for the purpose of providing housing where there appears to be no other prospect of the Property being brought back into use. The Council is justified in the compulsory purchase of the Property for the reasons detailed in this Statement of Reasons. There is a demand for property within the locality, the Property is in a poor state of repair and the owner, despite requests for his intentions for the Property along with offers of assistance in letters sent, has not taken satisfactory steps to repair the Property or to put the Property back into occupation. Further, compulsory purchase is the best option for bringing the Property back into residential use.

8.0 Human Rights

8.1 The Council when deciding to acquire the Property by compulsory purchase had regard to the provisions of Article 1 of the First Protocol to the European Convention on Human Rights and Article 8. In respect of Article 8 the Property is in a poor state of repair and unoccupied and consequently is not treated by the owner or any of his family as their home. Further it does not appear to be the owner's intention to carry out the necessary repairs and occupy the Property as his home. The Council's acquisition of the Property does not contravene the owner's rights under Article 8, as it does not interfere with his private and family life, his home and his correspondence. In respect of Article 1 it is acknowledged that compulsory purchase will interfere with the owners peaceful enjoyment of his possessions, but that for the reasons detailed in this statement it is in the public interest that the Council acquire the Property.

9.0 Planning Requirements

9.1 The adopted Unitary Development Plan (UDP) shows the premises to lie within an area zoned for residential use. The preferred use in the area is continued residential use. ^{10.27}

10.0 List of supporting evidence

- 10.1 Council Tax details
- 10.2 Confirmation of initial complaint
- 10.2a Flare record showing initial letter sent to owner 14.6.04
- 10.3 Additional complaint, 2005
- 10.4 Computer Flare record of external inspection, 2012
- 10.4a Copy of inspection notes, 2012
- 10.5 Copies of Improvement Notices, 2012
- 10.6 Complaint to South Yorkshire Police
- 10.7 Details of Dangerous Structures Intimation Notice, 2015
- 10.8 Complaint, March 2015
- 10.9 Copy of Building Act notice
- 10.10 Complaint, April 2016
- 10.10a Complaint, April 2016
- 10.11 Abatement Notice December 2016
- 10.12 Improvement Notice January 2017
- 10.12a Complaint, November 2017
- 10.13 Letters to owner 2017
- 10.14 Computer record of owner's comments, 2010/Land Registry print
- 10.15 Planning enquiry 2012
- 10.16 Owner's intentions to start work
- 10.17 Inspection notes, November 2016
- 10.18 UK census data 2011 Sheffield.
- 10.19 Housing Solutions email re homeless household figures.
- 10.19a Private Stock Condition Survey 2015
- 10.20 Sheffield City Council Annual Housing Statistics Report Facts and Figures 2015 / 2016
- 10.21 Council Tax Empties List April 2018
- 10.22 Housing Market Profiles 2016
- 10.23 Housing Market Profiles 2016
- 10.24 Housing Market Profiles 2016
- 10.25 Housing Market Profiles 2016
- 10.26 Estate agent email.
- 10.27 Email from Planning

APPENDIX 2

THE CITY OF SHEFFIELD (3 Mulehouse Road) COMPULSORY PURCHASE ORDER 2018

EQUALITY IMPACT ASSESSMENT

APPENDIX 3

THE CITY OF SHEFFIELD (3 Mulehouse Road)
COMPULSORY PURCHASE ORDER 2018 ORDER MAP

APPENDIX 4

FINANCIAL AND COMMERCIAL IMPLICATIONS

APPENDIX 2



Equality Impact Assessment > EIAs: Compulsory Purchase Order - 3 Mulehouse Road.

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CONTRACTOR OF THE STATE OF THE	Lead Cabinet Member Dunn Jayne (LAB CLLR)
	Entered on Q Tier ○ Yes ● No
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-	EIA date 12/02/2018
The same of the sa	EIA lead Nunn Louise
AND DESCRIPTION OF THE PERSON	Person filling in this EIA form Dunk Neil (NCC)
	Lead officer Sharpe Janet (HSG)
	Lead Corporate Plan priority Thriving Neighbourhoods and Communities
continues of the contin	Portfolio, Service and Team
***************************************	Cross Portfolio ○ Yes
	Portfolio

Place	
Place service(s) ☑ Housing and Neighbourhoods Service	
Place team(s)	
Private Housing Standards.	
Is the EIA joint with another organisation (eg NHS)? ● No ○ Yes	
Brief aim(s) of the proposal and the outcome(s) you want to achieve. The City Council make a Compulsory Purchase Order under the powers conferred by section 17 of the housing act If you want to enter more information please attach a document in the supporting documentation below.	
Impact	
Under the Public Sector Equality Duty we have to pay due regard to the need to: eliminate discrimination, harassment and victimisation advance equality of opportunity foster good relations 	
More information is available on the Council website including the Community Knowledge Profiles.	
Note the EIA should describe impact before any action/mitigation. If there are both negatives and positives, please outline these - positives will be part of any mitigation. The action plan should detail any mitigation.	
Overview	
Overview (briefly describe how the proposal helps to meet the Public Sector Duty outlined above) This report is to seek authority to make a Compulsory Purchase Order in respect of 3 Mulehouse Road, Sheffield S10 1TA. To allow the property to be renovated and occupied. There is great demand for this type of property within the area. The property is empty and has a particularly detrimental effect on neighbourhoods in the area. Compulsory Purchase Order is the most appropriate cause of action.	
Impacts	
Proposal has an impact on	
Health	
Does the Proposal have a significant impact on health and well-being (including effects on the wider determinants of health)?	
Staff	
OYes	
Customers	
Impact ● Positive ○ Neutral ○ Negative	
Level ○None ⊛Low ○Medium ○High	
Details of impact	

The poor state of repair of the Property and the associated anti-social behaviour exhibited has on neighbouring properties impacting on health and wellbeing of the occupiers.	a negative effect
Comprehensive Health Impact Assessment being complete O Yes No Please attach health impact assessment as a supporting document below.	
Public Health Leads has signed off the health impact(s) of this EIA O Yes No	
Health Lead	
Age	
Staff ○Yes No	
Customers	
Impact	
Level ● None ○ Low ○ Medium ○ High	
Details of impact There will be no negative impact, as we renovate properties in Sheffield to assist and support to family homes in the City. Be clear if your service relates to specific age groups, particularly younger or older people. If you wish to enplease attach a document in the supporting documentation section below.	
Disability	
Staff ○Yes No	
Customers	
Yes ○NoImpactPositive ○ Neutral ○ Negative	
Level ● None O Low O Medium O High	
Details of impact There will be no negative impact, as we renovate properties in Sheffield to assist and support of family homes in the City. Be clear if your service relates to specific impairments. If you wish to enter more information please attack supporting documentation section below.	
Pregnancy/Maternity	
Staff ○Yes No	

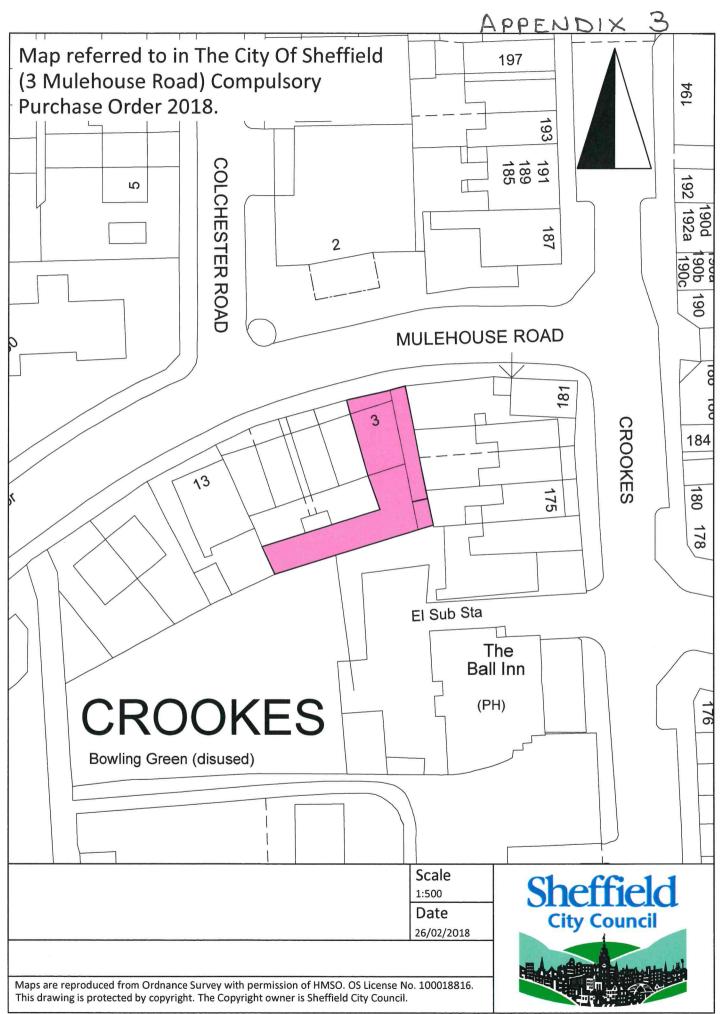
Customers
Impact
Level ■ None O Low O Medium O High
Details of impact There will be no negative impact, as we renovate properties in Sheffield to assist and support the current shortage of family homes in the City. Be clear if this impacts on these areas. If you wish to enter more information please attach a document in the supporting documentation section below.
Race
Staff ○Yes No
Customers
Impact
tevel ● None OLow OMedium OHigh
Details of impact
There will be no negative impact, as we renovate properties in Sheffield to assist and support the current shortage of family homes in the City. Be clear if your service relates to specific BME communities. If you wish to enter more information please attach a document in
the supporting documentation section below.
Religion/Belief
Staff ● Yes ○ No
Impact
O Positive O Neutral O Negative
Level
ONone OLow OMedium OHigh
Details of impact
Note: This also covers all faith groups and those with no belief. If you wish to enter more information please attach a document in the supporting documentation section below.
Customers
Impact
Positive
Level
None
Details of impact
There will be no negative impact, as we renovate properties in Sheffield to assist and support the current shortage of family homes in the City.

Note: This also covers all faith groups and those with no belief. If you wish to enter more information please attach a document in the supporting documentation section below.	
Sex	
Staff ○Yes No	
Customers	
Impact	
Level	
Details of impact There will be no negative impact, as we renovate properties in Sheffield to assist and support the current shortage of family homes in the City. Note: this includes women and men. If you wish to enter more information please attach a document in the supporting documentation section below.	
Sexual Orientation	
Staff ○Yes • No	
Customers	
Impact	
Level ●None ○Low ○Medium ○High	
Details of impact There will be no negative impact, as we renovate properties in Sheffield to assist and support the current shortage of family homes in the City. For example lesbian, gay or bisexual groups. If you wish to enter more information please attach a document in the supporting documentation section below.	
Transgender	
Staff ○ Yes No	
Customers ● Yes ○ No	
Impact Positive Neutral Negative	
Level ● None ○ Low ○ Medium ○ High	
Details of impact	

Note: trai	homes in the City.
document	sgender both men and women. If you wish to enter more information please attach a document in the supporting ation section below.
Carers	
Staff	
O Yes	No
Custome	rs
Yes	ONo Control of the Co
Impact	
Positive	e O Neutral O Negative
Level	
None	OLow O Medium O High
Details o	·
	Il be no negative impact, as we renovate properties in Sheffield to assist and support the current shortage homes in the City.
	refers to those who provide regular and substantial unpaid care to a disabled adult or child. If you wish to enter more
informatio	on please attach a document in the supporting documentation section below.
Cohesion	
Staff	
○Yes	No
C	
Custome	
Yes	rs O No
	○ No
YesImpactPosition	ONo
YesImpactPositiveLevel	O No O Neutral O Negative
YesImpactPositiveLevelNone	O No Neutral O Negative O Low O Medium O High
YesImpactPositiveLevelNoneDetails of	O No De O Neutral O Negative O Low O Medium O High
● Yes Impact ● Positive Level ● None Details of	O No De O Neutral O Negative O Low O Medium O High f impact Il be no negative impact, as we renovate properties in Sheffield to assist and support the current shortage of
● Yes Impact ● Positive Level ● None Details of There with family here	O No De O Neutral O Negative O Low O Medium O High
● Yes Impact ● Positive Level ● None Details of There wife family he Note part well toget	No Ne Neutral Negative Low Medium High f impact Il be no negative impact, as we renovate properties in Sheffield to assist and support the current shortage of ones in the City. Cular impact on community tensions or getting on her. If you wish to enter more information please
● Yes Impact ● Positive Level ● None Details of There wife family he Note part well toget	No Ne Neutral Negative Low Medium High f impact Il be no negative impact, as we renovate properties in Sheffield to assist and support the current shortage of ones in the City. In the City. In the City. In the community tensions or getting on
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● Yes Impact ● Positive Level ● None Details of There will togeth attach and below. Poverty & Staff ○ Yes	No New Neutral Negative OLOW Medium High f impact Il be no negative impact, as we renovate properties in Sheffield to assist and support the current shortage of omes in the City. Icular impact on community tensions or getting on her. If you wish to enter more information please occument in the supporting documentation section Financial Inclusion

Cumulative impact	
Proposal has a cumulative impact ○ Yes No	
Proposal has geographical impact across Sheffield O Yes No	
Local Partnership Area(s) impacted	
Action Plan and Supporting Evidence	
Action plan To acquire the property and allow it to be renovated and occupied.	
Include monitoring arrangements, etc. You can copy and paste your action plan in this section	
Supporting Evidence (Please detail all your evidence used to support the EIA)	
Supporting Documentation	
Consultation	
Consultation required ○ Yes No	
If consultation is not required please state why There is no statutory requirement to consult on these proposals. However neighbours of 3 Mulehouse Road have made repeated complaints regarding the condition of the property.	
Are Staff who may be affected by these proposals aware of them • Yes • No	
If you have said no to either please say why	
Summary of overall impact	
Summary of overall impact	
Summary of evidence	
Changes made as a result of the EIA	
If none, specify why	
Escalation plan	

Is there a high impact in any area? ○ Yes ● No	
Overall risk rating after any mitigations have been put in place O High O Medium O Low O None	
Review date	
Review date	
If a review date is specified, it will appear in the 'Upcoming Reviews' view when the EIA review	r is within 30 days.
	Incomplete
	Once you've finished filling this form, you need to first mark it ready for approval, then submit it.



Financial and Commercial Implications

The Council will be required to pay compensation to the current owner based upon the open market value of the Property in the condition that the Property is in at the time the Council take possession. The Council will also be required to pay the surveyors and legal fees and the costs of public notices which are incurred as a result of the compulsory purchase. The owner may also be entitled to a basic loss payment of 7.5% of the open market value. The Council will incur costs and expects to recover these from the sale proceeds.

open market value:		£125,000
basic loss payment :		£9,375
surveyor's fees :		£2,437
legal fees :		£ 2,000
Public notices		900
	Estimated total:	139,172

The costs set out above will be met out of the Private Housing Standards' budget. It is anticipated that the cost of the purchase price will be met from the sale proceeds and the Private Housing Standards budget will be refunded to that degree.

Officer time relating to this proposal will be met from already approved Private Housing Standards budgets.

