

**THE CITY OF SHEFFIELD (1, 3 & 5 Mount Pleasant)
COMPULSORY PURCHASE ORDER 2021**

STATEMENT OF REASONS

1.0 Property Description, Condition and Location

- 1.1 The land the Council seeks to acquire by compulsory purchase (the Property) is a terrace of houses comprising three dwellings: 1, 3 and 5 Mount Pleasant, Sheffield, S35 2WD (the Dwellings). 1 & 5 Mount Pleasant are one-bed roomed end terrace houses and 3 Mount Pleasant is a two-bedroomed mid terrace house all stone built and rendered, artificial slate roofed constructions. The Dwellings are situated close to the main road through the district of Chapeltown and lie to the north of Sheffield city centre on the border with Barnsley. The Dwellings have been registered as empty since 1999 (*source: Council Tax database*^{9.1}). Officers from the Council's Private Housing Standards team have been visiting the Dwellings from February 2010 when they were noted as unoccupied, and the Dwellings have been unoccupied on each subsequent visit.
- 1.2 The Dwellings were first visited by the Council in February 2010 as part of a routine inspection of long-term empty properties in Sheffield. The first complaint was received by the Council in July 2013 when a neighbour complained about the overgrown nature of the gardens and their belief that the Dwellings had been empty for at least 15 years^{9.2}. A further enquiry regarding the Dwellings was received in November 2014 when a local councillor contacted the Council advising that she had received a few complaints about the Dwellings and that in particular that they had been empty for years, had become a breeding ground for vermin, had suffered from fly tipping in the garden and were an eyesore^{9.3}.
- 1.3 In May 2015, a complaint was received from a member of the public via a local councillor stating that the Dwellings had been empty for a number of years and that the gardens were being used for fly tipping which, in turn, was attracting rats and foxes^{9.4}.
- 1.4 In September 2016, a complaint was received from a neighbour complaining of the rising levels of vandalism and anti-social behaviour as a result of the state of the Dwellings^{9.5}.
- 1.5 In November 2015 a Notice of Entry was served on the owner seeking access to the Dwellings^{9.6}. The owner failed to appear at the time indicated on this notice. Following this, a Warrant of Entry was successfully applied^{9.7} for and a forced entry under this warrant was made in May 2016 and a full inspection of the Dwellings was carried out^{9.8}. In February 2017, Improvement Notices were served on the owner due to the presence of category 1 hazards at the Dwellings^{9.9}. These Hazards were damp and mould, excess cold, falls associated with stairs and entry by intruders. The Notices stipulated that works must be carried

out by 1 May 2017. On 28 April 2021, an external inspection was made of the Property ^{9.3}. All windows and doors were fully boarded and there was no evidence of any works having been carried out. The property remained in a state of disrepair.

2.0 Purpose in Acquiring the Properties and Future Use.

- 2.1 The purpose of acquisition of the Property is to enable the Dwellings to be renovated and re-occupied.
- 2.2 This proposed Compulsory Purchase Order (CPO) is a last resort measure as the Dwellings have been vacant since 1999 and the owner has not taken adequate steps to prevent their deterioration. There is demand for these types of Dwellings within their locality. The Council have served legal notices on the owner to remedy category 1 hazards, but the owner has not taken reasonable steps to put the Dwellings back into occupation or to ensure they are fully maintained.
- 2.3 The Council seeks a CPO in respect of the Property to enable it to be sold on the open market and the Dwellings to be put back into occupation. Demand for these type of dwellings in this area is strong, as demonstrated in section 5.0 of this statement. The intention is to sell the Property immediately following acquisition. The Council will place a covenant on the sale stating the Dwellings must be refurbished within 12 months of purchase and occupied within 18 months of purchase.

3.0 Contact with the owner

- 3.1 The Council first wrote to the owner on 20 May 2010 offering advice and assistance in bringing the Dwellings back into occupation ^{9.10}. No response was received to this letter.
- 3.2 On 26 November 2013, the owner emailed Private Housing Standards to say that in all probability, the Property will be going on the market at some point ^{9.11}. On the same date, the Council emailed the owner to ask for timescales when the Property would be going on the market for sale. On 27 November 2013, the owner emailed Private Housing Standards to say that he imagined that the Property would be on the market within the next few months ^{9.3}.
- 3.3 In 2014 and 2015 the Council had a significant number of email communications with the owner when he repeatedly indicated his intention to sell the Property and had instructed an estate agent ^{9.13}. The Council had a number of communications with the estate agent, who indicated that the owner was not properly engaging with them to enable the Property sale. In 2016, the estate agents indicated that they had tried approximately 15 times to contact the owner but without success ^{9.3}.
- 3.4 Following the service of Notice of Entry notices in respect of the Dwellings in December 2015, when the owner failed to attend at the time stated in the notices, a full inspection of the Properties was carried out under a Warrant of entry in May 2016.
- 3.5 In February 2017, Improvement Notices were served on the owner in order to remedy the category 1 hazards found at the Dwellings ^{9.9}.

- 3.6 In March 2017, the Council received a letter from the owner indicating that he was experiencing problems managing the Dwellings and intended to sell them. He stated that he had a buyer^{9.14}. In April 2017, the Council asked for contact details for the buyer and the solicitors dealing with the sale. In May 2017, the owner emailed to say his buyers were dragging their heels^{9.15}. In the same month, the Council emailed the owner with the contact details of someone who had expressed an interest in buying the Dwellings^{9.16}.
- 3.7 In June 2017, the owner emailed the Council to say that he had three interested parties and felt the sale should be going through very soon^{9.17}. To date, there is no evidence that the Property is being sold.
- 3.8 In 2019, the Council wrote four letters^{9.18} to the owner to offer assistance to enable the Dwellings 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 an alternative, an offer was made to purchase the Property by agreement. A further offer to purchase the Property by agreement was made in July 2019 and again in January 2021^{9.19}. No written response has been received to any of these letters.

4.0 Housing Need

- 4.1 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^{9.20}. According to Sheffield City Council's Housing Solutions Team, as of May 2021, there were 199 households who were living in homeless temporary accommodation.
- 4.2 In March 2020, Council stock numbered 38,989 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, 35% are 1 bed, 27% are 3 bed, under 1% are 4+ bed and under 1% are bedsits. (Source: Sheffield City Council Local Authority Housing Statistics/Local Authority Data Return 2019/20)
- 4.3 According to Council Tax records, at the end of March 2021 there were 2808 long term (over 6 months) empty properties in Sheffield^{9.21}.
- 4.4 Mount Pleasant is located in the district of Ecclesfield which falls into the Housing Market Area classed as Chapeltown/Ecclesfield largely consisting of an older population and settled families with children (Source: Housing Market Profiles 2019)
<https://www.sheffield.gov.uk/content/sheffield/home/housing/sheffield-housing-market.html>
- The Housing Market Profiles (HMP) 2019 report states that there is need for one and two bedroom housing^{9.22} for newly forming households in this Chapeltown/Ecclesfield area as these size properties make up the greatest shortfall in the area
- 4.5 The HMP states that of the number of people within this area who need to move in the next 5 years, 35% expect to remain in the area. This is the second highest

rate of people who expect to remain in their 'own' area behind the South HMA area ^{9.23}.

- 4.6 A leading auctioneer in Sheffield confirmed in June 2021 that, if the Property was placed into auction, he expected that it would be bought by a local developer who would most likely restore it for resale or possibly rental. The auctioneer also confirmed that there was a strong demand amongst first time buyers for smaller properties of this nature. The auctioneer also confirmed that there continues to be strong demand amongst developers, influenced by a growing shortage of restoration opportunities of this nature. ^{9.24a}

5.0 Environmental Impact

- 5.1 The visual impact of the Property is having a detrimental effect on the neighbourhood, apparent from the condition of the Dwellings as seen during numerous inspections dating back to 2010. The initial complaint to the Council referred to the Dwellings being empty for at least 15 years and that the garden was heavily overgrown and encroaching onto both the complainant's garden and the neighbouring public footpath.
- 5.2 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 the Dwellings, complaints have been made that indicate that the Dwellings have been the subject of vandalism, anti-social behaviour and fly tipping.

6.0 Justification for Compulsory Purchase

- 6.1 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 the Dwellings within the locality, as demonstrated in section 5.0, the Dwellings are in a poor state of repair and the owner, despite requests for his intentions for the Dwellings along with offers of assistance in letters sent as described in section 4.0, has not taken satisfactory steps to repair the Dwellings or to put them back into occupation. Further, compulsory purchase is the best option for bringing the Dwellings back into residential use.

7.0 Human Rights

- 7.1 The Council, when deciding to acquire the Properties 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 Dwellings are in a poor state of repair and unoccupied and consequently none of them are 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 any of the Dwellings 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 owner's 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.

8.0 Planning Requirements

- 8.1 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^{9.25}.

9.0 List of supporting evidence

- 9.1 Council Tax email
- 9.2 Complaint email
- 9.3 Computer Flare records
- 9.4 Councillor enquiry
- 9.5 Complaint email
- 9.6 Notice of Intention to Exercise Power of Entry
- 9.7 Warrant of Entry
- 9.8 Inspection notes
- 9.9 Improvement notices
- 9.10 Letter to owner
- 9.11 Email from owner
- 9.12 Email from owner
- 9.13 Email from owner
- 9.14 Letter from owner
- 9.15 Email from owner
- 9.16 Email to owner
- 9.17 Email from owner
- 9.18 Letters to owner
- 9.19 Letter to owner
- 9.20 Census information
- 9.21 Empty property statistics
- 9.22 Housing demand information
- 9.23 Housing demand information
- 9.24 Auctioneer correspondence via email
- 9.25 Email from Planning

APPENDIX 2

**THE CITY OF SHEFFIELD (1, 3 & 5 Mount Pleasant)
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EQUALITY IMPACT ASSESSMENT

APPENDIX 3

**THE CITY OF SHEFFIELD (1, 3 & 5 Mount Pleasant)
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APPENDIX 4

FINANCIAL AND COMMERCIAL IMPLICATIONS