

**THE CITY OF SHEFFIELD (1 Havelock Street)  
COMPULSORY PURCHASE ORDER 2021**

**STATEMENT OF REASONS**

**1.0 Property Description, Condition and Location**

- 1.1 1 Havelock Street, Sheffield, S10 2FP (the Property) is a three bed-roomed end terrace house of brick built, slate roofed construction. The Property is situated close to the University of Sheffield and Hallamshire hospital in a conservation area situated just west of the ring road on the edge of the 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 February 2016. Initial visits determined that the Property was probably being squatted due to comments made by neighbours to this effect and the sighting of someone leaving the Property, by an officer from Private Housing Standards in April 2016, who stated that he was a builder who knew the owner. The person stated that the Property was empty but being used as storage for builder's materials and equipment.<sup>10.1</sup> The Property has been registered as empty since 21 November 2005 (source: Council Tax database <sup>10.2</sup>).
- 1.2 The first complaint was received by the Council in December 2015<sup>10.3</sup> referring to serious disrepair, vandalism, theft, police involvement, fly tipping and overgrown garden. The Council wrote to the owner, drawing this matter to his attention. Subsequently, the Council have received six further complaints regarding the Property. In June 2016, an email was received from a neighbour complaining of serious disrepair, overgrown gardens, fly tipping, presence of squatters, theft, anti-social behaviour, drug abuse and police visits. In September 2017 a report was received from a member of the public stating the property was in serious disrepair. In September 2019, a complaint was received regarding water penetration to an adjoining property. In December 2019, a complaint was received regarding disrepair of the Property, overgrown garden and anti-social behaviour.<sup>10.4</sup> In February 2020 a complaint was received from a neighbour who stated she believed there were squatters inside the Property and in September 2020, a complaint was received from a neighbour stating the Property was an eyesore.
- 1.3 In May 2016, during an external inspection, a neighbour stated that he believed the Property was squatted. He believed that squatters were ripping up floorboards to burn in order to keep warm<sup>10.5</sup>.
- 1.4 In February 2017 an internal inspection of the Property was carried out in the presence of two police officers. The rear external door was found to be open and much of the floor adjacent to the door had been ripped up. Inside the Property, large amounts of drug paraphernalia were found including blood filled needles. Photographs were taken but a full and detailed inspection was not possible due to serious health and safety concerns <sup>10.6</sup>.

- 1.5 In October 2017, a notice was served under Section 80, Environmental Protection Act 1990 requiring the owner to remove all evidence of vermin infestation and drug paraphernalia from inside the Property <sup>10.7</sup>. No work was undertaken by the owner and the Council carried out all works in default.
- 1.6 In June 2018, a full internal inspection was carried out under a warrant of entry <sup>10.8</sup>. In August 2018, an Improvement Notice was served on the owner under Section 11, Housing Act 2004 due to the presence of category 1 hazards at the Property requiring the owner to take action to remedy the hazards <sup>10.9</sup>. The hazards observed were damp and mould, excess cold, entry by intruders, food safety, personal hygiene, falls on level surfaces and falls associated with stairs. On 20 July 2020, an external inspection was carried out at the Property. It was observed that the Property appeared to be in a poor state of repair and from what could be observed, the hazards set out in the Improvement Notice served in August 2018 do not appear to have been remedied.

## **2.0 Purpose in Acquiring the Property and Future Use.**

- 2.1 The purpose of acquisition is for the Property to be renovated and re-occupied.
- 2.2 This proposed Compulsory Purchase Order (CPO) is a last resort measure as the Property has been vacant since at least November 2005 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 an Improvement Notice on the owner to remedy category 1 hazards and an Abatement Notice to deal with vermin infestation and drug paraphernalia at the Property, 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 Martyn Guy Delbeke of 1 Havelock Street, Sheffield, S10 2FP.
- 3.2 The Council received notification from the owner in April 2015 that he resided at another address and all future correspondence has been sent to this address<sup>10.9a</sup>.

## **4.0 Contact with the owner**

- 4.1 The Council wrote to the owner on 15 June 2016 offering advice and assistance in bringing the Property back into occupation <sup>10.10</sup>. 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, the Council has written to the owner on a significant number of occasions. In 2018, the Council wrote four letters<sup>10.11</sup> to the owner to offer assistance in enabling 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. The Council wrote again to the owner in August 2019 to repeat their offer to purchase the Property by agreement<sup>10.12</sup>. No response was received to that letter. A further offer to purchase the Property by agreement was made to the owner on 20 July 2020 and again on 25 January 2021. No response was received to these letters<sup>10.12a</sup>.
- 4.3 The Council carried out an internal inspection of the Property on 24 September 2019 which revealed that it remains in a poor state of repair. On 21 January 2021, an external inspection was carried out at the Property. It was observed that the Property appeared to be in a poor state of repair and from what could be observed, the hazards set out in the Improvement Notice served in August 2018 do not appear to have been remedied.

## **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<sup>10.13</sup>. According to Sheffield City Council's Housing Solutions Team, as of December 2020, there were 218 households who were living in homeless temporary accommodation<sup>10.14</sup>.
- 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)<sup>10.15</sup>
- 5.3 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 35% are 1 bed, 36% are 2 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)
- 5.4 According to Council Tax records from November 2020, there are currently 2672 long term (over 6 months) empty properties in Sheffield<sup>10.16</sup>.
- 5.5 Havelock Street is located in the district of Broomhall which falls into the Housing Market Area classed as Urban West, largely consisting of student and single households (Source: Housing Market Profiles updated 2019 <https://www.sheffield.gov.uk/content/sheffield/home/housing/sheffield-housing-market.html>)<sup>10.17</sup>

- 5.6 The Housing Market Profiles (HMP) report updated in 2019 states that there is need for two and three-bedroom family housing for sale in this Urban West area as these size properties make up the greatest shortfall in the area<sup>10.18</sup>.
- 5.7 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 one such estate agency that has an office in the area. They indicated that where they let such properties, they are usually let within one month of the property being advertised. They also confirm that there is a very high demand for this type of accommodation in Broomhall. The agents state that there is good demand from students. The Council received a response from a second estate agency that also has an office in the area. They stated that they dealt with three bedroom properties in Broomhall, that where they let such properties, the average time for them to be let is four to six weeks, that there is a demand for this type of accommodation in Broomhall and that demand comes specifically from students.<sup>10.19</sup>

## **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.
- 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, complaints have been made regarding serious disrepair, fly tipping, an overgrown garden, and a vandalised front door. Additionally, a rear door was found insecure by an officer from Private Housing Standards. Inside, floorboards were found ripped up and large amounts of drug paraphernalia found in the Property.

## **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.<sup>10.20</sup>

## **10.0 List of supporting evidence**

- 10.1 Evidence of empty status
- 10.2 Confirmation of date Property became empty
- 10.3 Confirmation of initial complaint
- 10.4 Letter to owner confirming further complaint
- 10.5 Confirmation of anti-social behaviour
- 10.6 Confirmation of drug abuse
- 10.7 Copy of Abatement Notice
- 10.8 Copy of inspection notes
- 10.9 Copy of Improvement Notice
- 10.9a Evidence of alternative address for owner.
- 10.10 Copy of letter to owner 2016.
- 10.11 Copy of letters to owner 2018
- 10.12 Copy of letter to owner 2019
- 10.12a Copy of letter to owner 2020 & 2021
- 10.13 UK Census data 2011, Sheffield
- 10.14 Housing Solutions email re homeless figures
- 10.15 Private Stock Condition Survey 2015
- 10.16 Council Tax empty property figures
- 10.17 Housing Market Profile household details
- 10.18 Housing Market Profile demand details
- 10.19 Estate agent demand information

10.20 Residential use confirmation

**APPENDIX 2**

**THE CITY OF SHEFFIELD (1 Havelock Street)  
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**EQUALITY IMPACT ASSESSMENT**

**APPENDIX 3**

**THE CITY OF SHEFFIELD (1 Havelock Street)  
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**APPENDIX 4**

**FINANCIAL AND COMMERCIAL IMPLICATIONS**