

HOUSING ACT 1985
ACQUISITION OF LAND ACT 1981

The East Riding of Yorkshire Council
(97 Weatherill Street, Goole)
Compulsory Purchase Order 2021

STATEMENT OF REASONS

1. The order land comprises 97 Weatherill Street, Goole, DN14 6EE (“the Property”) being a mid-terrace house on two levels built circa 1900. The Property has an urban location, situated in a primarily residential area of Goole.
2. The Property has been empty approximately eighteen (18) years and has deteriorated due to lack of basic maintenance. There are category 1 and category 2 hazards as defined in the Housing Act 2004. Renovation works to the property will be required to bring it back into use.
3. The accommodation comprises two bedrooms, two reception room, kitchen, and bathroom. In 2019 the estimated cost of bringing the property into a decent state of repair was approximately £20,000.
4. The Council has been aware of problems with the Property since 2009 in respect of:
 - Its unsatisfactory condition
 - Its detrimental appearance to the street scene
 - Poor management

A schedule of repairs required to the Property to bring it up to a habitable standard is attached as **Appendix A** to this Statement.

5. Attempts have been made to contact the owner by letter over a period of ten (10) years, responses from the owner have been sporadic and the owner has failed to make any attempt to renovate and re-occupy the Property.

A timeline of events and attempted contact with the owner is attached as **Appendix B** to this Statement.

6. The Council wishes to see the Property returned to beneficial use as a dwelling in accordance with its Empty Homes Strategy 2015. The Strategy contains a specific action to bring empty private properties back into effective use to meet housing need. There is a specific priority placed on focussing attention on high profile empty properties as it is properties such as these that can have a disproportionately negative impact on local neighbourhoods.
7. Government Planning Policy is set out in the National Planning Policy Framework (NPPF) and emphasises the need to ensure an adequate supply of housing. Paragraph 118 of the NPPF specifically states that Local Planning Authorities should identify and bring back into use empty housing and buildings and, where appropriate, acquire properties under compulsory purchase powers. Locally planning policy is set out in the East Riding Local Plan (2016). The Plan

reflects the government's policy for delivering housing, and bringing empty or underused premises and land back into use, with the ERLP policy S5, specifically indicating in part G of that policy that the renewal and improvement of the existing housing stock is supported.

8. If the Compulsory Purchase Order is confirmed the Council will market the Property and the sale contract will require the buyer to undertake all necessary repairs, renovations and improvements including final decoration to the Property within a six (6) month period so that the Property is ready for immediate occupation.
9. Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the European Convention on Human Rights. Various convention rights are likely to be relevant to the Order; including
 - a. **Entitlement to a fair and public hearing** in the determination of a person's civil and political rights (Convention Article 6). This includes property rights and can include opportunities to be heard in the consultation process.
 - b. **Rights to respect for private and family life and home** (Convention Article 8). Such rights may be restricted if the infringement is legitimate and fair and proportionate in the public interest.
 - c. **Peaceful enjoyment of possessions** (First Protocol Article 1). This right includes the right to peaceful enjoyment of property and is subject to the State's right to enforce such laws as it deems necessary to control the use of property in accordance with the general interest.

The European Court has recognised that “regard must be had to the fair balance that has to be struck between the competing interests of the individual and of the community as a whole.” Both public and private interests are to be taken into account in the exercise of the Council's powers and duties as a local planning authority. Any interference with a Convention right must be necessary and proportionate.

The Council is of the view that in pursuing the Order it has carefully considered the balance to be struck between individual rights and the wider public interest. Any interference with Convention rights, if there are any, are considered to be justified in order to secure the physical and environmental benefits that bringing this property back into occupation will bring. Appropriate compensation will be available to those entitled to claim it under the relevant provisions of the National Compensation Code.

10. A copy of the order and of the map referred to therein together with associated documents can be viewed on both the Council website at:-

<https://www.eastriding.gov.uk/housing/empty-properties/>

Due to the current COVID pandemic hard copies of the Compulsory Purchase Order together with associated documents cannot be placed on deposit for

public inspection. If anyone does not have access to the internet they can request hard copies of any of the documents by contacting:-

Debbie Wesselby, Senior Legal Officer on 01482 393157/07929 764791,
debbie.wesselby@eastriding.gov.uk

11. This Statement of Reasons for making the Compulsory Purchase Order is not intended to discharge the Council's statutory obligations under the Compulsory Purchase (Inquiries Procedure) Rules 2007 as amended by The Compulsory Purchase (Inquiries Procedure) (Miscellaneous Amendments and Electronic Communications) Rules 2018.