

**REPORT FROM:** **PLANNING, BUILDING CONTROL AND LICENSING SERVICES MANAGER**

**TO:** **SPECIAL BUDGET EXECUTIVE**

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#### **PURPOSE OF REPORT**

To inform Committee of the current condition of the site and to further consider the need to compulsory purchase the property.

#### **RECOMMENDATIONS**

- (1) That a Compulsory Purchase Order no longer be pursued.
- (2) The occupation and condition of the property be monitored.

#### **REASONS FOR RECOMMENDATIONS**

The building is now being occupied and has been repaired and to monitor its long term condition.

#### **ISSUE**

1. The Executive has previously resolved to pursue the compulsory purchase of the property as it had been left vacant for a number of years and was falling into an increasing state of disrepair. Efforts had been made to find out who the legal owner of it was. Despite continuing efforts to find if there is a known legal owner no one has been identified.
2. The property has however now been re-occupied. No change in ownership has been registered in the land registry so it is assumed that the occupation has not resulted in a known owner being identified.
3. The condition of the property has been improved as a result of the occupation. The flat roofed outrigger has been repaired and material that was building up inside the house has been removed.
4. It is not known whether the current arrangements will be the basis of a long term solution to

the condition of the property. This is only likely to be fully resolved if the ownership issue is itself resolved. The occupation does however remove the short term impacts of the property deteriorating through not being used.

5. The need for a compulsory purchase order therefore needs to be re-examined. A CPO should only be pursued if there is a compelling case in the public interests. Use of Section 17 of the Housing Act as a basis for a CPO is primarily to get an empty home back into use. Whilst the issue of ownership is still not resolved, and this may in future lead to other complications, the property is now being occupied and the work that was necessary to the rear outrigger had been undertaken. It would therefore now be difficult to argue that there is a compelling case in the public interest to CPO the property.
6. In the circumstances it is recommended that no further action be taken on the CPO but that the situation be monitored.

## **IMPLICATIONS**

<b>Policy:</b>	None
<b>Financial:</b>	None
<b>Legal:</b>	None arising directly from the report.
<b>Risk Management:</b>	None arising directly from the report.
<b>Health and Safety:</b>	None arising directly from the report.
<b>Sustainability:</b>	None arising directly from the report.
<b>Community Safety:</b>	None arising directly from the report.
<b>Equality and Diversity:</b>	None arising directly from the report.