

**THE CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL (118 CECIL AVENUE, BRADFORD,  
WEST YORKSHIRE, BD7 3BS) COMPULSORY PURCHASE ORDER 2018**

This inquiry concerned a Property which was frozen in transition between a semi-detached bungalow and a four-bedroom house. The Owner had seemingly run out of funds midway through implementing a planning permission for a two-storey rear extension. The unlawful way the half-finished dwelling had been constructed also meant it was causing water to flow into the neighbouring property leading to a civil award of damages against the Owner.

The case raised two complex points. Firstly, the Owner who had entered an objection then refused to appear at the inquiry leading to issues of how a CPO inquiry can proceed in the absence of an objector without prejudicing him or raising Public Sector Equality Duty issues. The second was the relevance (if any) of a Charging Order over the property in favour of the neighbour following their successful claim for damages against the Owner.

Overall the Inspector found that, after adjournment, the Inquiry could proceed in the Owner's absence and that the Charging Order was not a sufficient impediment to conclude if the Order were confirmed there would not be a reasonable prospect of the renovation of the Property occurring. There was a compelling case in the public interest and the Order was confirmed.

Piers Riley-Smith was instructed by Shereen Sheikh, Bradford MDC and called Lorne Frost (Environmental Health) and Ross Hallam (Planning).

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