

**THE CITY OF BRADFORD METROPOLITAN DISTRICT COUNCIL (29 BEECH CRESCENT, BRADFORD, WEST YORKSHIRE, BD3 0PN) COMPULSORY PURCHASE ORDER 2018**

This inquiry involved a six-bedroom Property which had seemingly been empty since 2004. There had in 2018 been a change of ownership when the original owner sold the property to his brother. However, the Council were of the view that the brother had always been in control of the property and this had been done to frustrate the CPO proceedings.

On the day of the inquiry the Owner claimed (for the first time) that he had recently moved into the Property and so it was no longer unoccupied. Furthermore, he produced a number of invoices for building work, and proof of funds to complete the work. This meant that there was now a realistic prospect that the Owner would bring the Property back into use and therefore the Order should not be confirmed.

However, under cross examination it was revealed that the Owner had to use the bathrooms of neighbouring properties as there was no functioning bathroom. He also had to eat through takeaways to the house as there was no way to cook in the Property. Furthermore there were no formal contracts signed for the work (which was to be carried out by a relative of the Owner), and the 'funds' shown in the account where an apparent loan from a developer contingent on the Owner securing planning permission for a large housing scheme.

The Inspector agreed with the Council that he should be wary of 'show occupation' done for the purposes of frustrating a CPO inquiry, and that the lack of clarity on funding meant he could not be confident that without compulsory purchase the house would be brought back into use.

The Inspector therefore recommended confirmation. This recommendation was followed by the Secretary of State for Housing, Communities and Local Government.

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

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