



**Ministry of Housing,
Communities &
Local Government**



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Date: 13 November 2019

Dear Ms Sheikh

**Housing Act 1985: Section 17
Acquisition of Land Act 1981**

**The City of Bradford Metropolitan District Council (29 Beech Crescent,
Bradford, West Yorkshire BD3 0PN) Compulsory Purchase Order 2017**

1. The report of the Inspector, Mr Phillip J G Ware BSc DipTP MRTPI, who held a public local inquiry into the above Order on 6 August 2019 has been considered. A copy of the Inspector's Report is enclosed. References in this letter to paragraphs in the Inspector's Report are indicated by the abbreviation IR, followed by the relevant paragraph number.
2. The Order, if confirmed, would authorise the compulsory purchase of 29 Beech Crescent, Bradford, West Yorkshire, BD3 0PN (covering approximately 270 square meters) for the purpose of bringing the property back into use for housing.
3. Two relevant objections to the Order were received. The main grounds of objection were that the owner is in the process of renovating the property and wishes to turn it into his family home.
4. The Inspector's Report summarises the submissions made at the local inquiry and his conclusions are at IR34 - 56 of the report, he has recommended that the Order is confirmed (IR57). He considers that the main considerations in this case relate to, the need for housing accommodation of this type, the condition of the Order property, the prospect of the reuse of the building by

way of the CPO and the prospect of the reuse of the building without the CPO (IR34).

5. At IR 35 – 38 the Inspector has considered the need for housing accommodation. At IR 38 he states that, *'The Council has clearly established a housing need and that there is no planning impediment to refurbishment and reoccupation.'*
6. At IR 39 – 42 the Inspector has considered the current condition of the Order property. At IR 41 he states that, *'Some works have obviously been carried out in recent months and the appearance of the property from the street has been improved, particularly by the installation of windows. However there is a very long way to go and the overall appearance of the building and the front garden still resembles a partly abandoned building site...'* At IR 42 he states that, *'... the property detracts from its surroundings to the detriment of the neighbourhood.'*
7. At IR 43 – 46 the Inspector has considered the prospects of re-use for housing by way of the CPO. At IR 46 he states that, *'Overall, there is a high level of confidence that, if the CPO is confirmed, the Council has the will and the ability to undertake the necessary works and return the property to beneficial occupation expeditiously.'*
8. At IR 47 – 53 the Inspector has considered the prospects of re-use for housing without the CPO. At IR 47 he states that, *'It is well understood that the very distressing circumstances which befell Mr Latif and his family caused the renovation of the house to stall. That said, his brother Mr Farid appears to have been very actively involved throughout the process, in effect acting as his agent...'* At IR 48 he states that, *'Once Mr Farid became the owner, there has been some sporadic work at the house. However progress has been very slow and the property is still entirely uninhabitable. There is no schedule of works, timetable or contract for the completion of different stages of the project.'*
9. At IR51 the Inspector states' there is a *'...lack of clarity in relation to funding...'* At IR 52 he states that he shares' the Council's concern that *'...the owner has not demonstrated the commitment or funding to bring the property back into active residential use within a reasonable time period, if at all.'*
10. At IR 53 he states that, *'...There appears to be very limited prospect of the property being brought up to standard and returned to residential use in the absence of compulsory purchase.'*
11. At IR 54 – 56 the Inspector provides his overall conclusions. At IR 56 he concludes that: *'The compulsory acquisition of this empty house would achieve both a quantitative and a qualitative housing gain. It is concluded that there is a compelling case in the public interest for the confirmation of the CPO.'*
12. At IR 57 the Inspector has recommended that the City of Bradford Metropolitan District Council (29 Beech Crescent, Bradford) Compulsory Purchase Order 2018 be confirmed.

13. The Secretary of State for Housing, Communities and Local Government has carefully considered whether the purposes for which the compulsory purchase order was made sufficiently justify interfering with the human rights of the objectors and he is satisfied that such interference is justified. In particular he has considered the provisions of Article 1 of the First Protocol to, and Article 8 of the European Convention on Human Rights. In this respect the Secretary of State is satisfied that in confirming the compulsory purchase order a fair balance would be struck between the public interest and interests of the objectors.
14. The Secretary of State has considered the Equality Act 2010. Section 149 of the Equality Act 2010 introduced a public sector equality duty, that public bodies must, in the exercise of their functions, have due regard to the need to (a) eliminate discrimination, harassment, victimisation; (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it. Protected characteristics are, age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex and sexual orientation. In making this decision, the Secretary of State has had due regard to the requirements of the Public Sector Equality Duty.
15. The Secretary of State has also given careful consideration to the Inspector's Report and the submissions of the parties. He accepts the Inspector's findings and agrees with his conclusions. He accepts that a compelling case in the public interest for confirming the Order has been made. The Secretary of State has decided to accept the Inspector's recommendation and to confirm the City of Bradford Metropolitan District Council (29 Beech Crescent, Bradford, West Yorkshire BD3 0PN) Compulsory Purchase Order 2017.
16. I enclose the confirmed Order and the map to which it refers. Your attention is drawn to section 15 of the Acquisition of Land Act 1981 about publication and service of notices now that the Order has been confirmed. Please inform us of the date on which notice of confirmation of the Order is first published in the press.
17. Copies of this letter and the Inspector's Report are being sent to the remaining objectors who appeared at the local inquiry.
18. This letter does not convey any other consent or approval in respect of the land to which the order relates.

Yours sincerely

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Lorraine Gamble

**Lorraine Gamble
Senior Planning Casework Manager**

Encs:

Inspector's Report

Confirmed Order

Sealed Map