

# Item no.

**Report to:** Full Council

**Date:** 1<sup>st</sup> December 2005

**Report of:** Head of Asset & Property Management

**Subject:** Compulsory Purchase Order of properties 69 and 92 Thornlaw North, Thornley

**Ward:** Thornley

## **1.0 Purpose of Report**

To seek a formal resolution to

- a) The Compulsory Acquisition of 69 & 92 Thornlaw North, Thornley to facilitate regeneration proposals for Thornlaw North.
- b) Consent for the submission of The District of Easington (Numbers 69 & 92 Thornlaw North) Thornley Compulsory Purchase Order to the Office of the Deputy Prime Minister for confirmation.

## **2.0 Consultation**

Consultation has been undertaken with the Director of Regeneration, Crutes Law Firm and the Head of Democratic Services. In addition private sector consultants have been commissioned to undertake a master-planning exercise, the recommendations of which were adopted at a Cabinet Meeting on 24<sup>th</sup> September 2002.

## **3.0 Background**

- 3.1 Thornlaw North, which extends to some 10 acres (as shown edged black on the attached plan) has suffered from a high level of voids due both to structural problems with and the over supply of Council Housing in the Village. The Thornley Masterplan identified that this area of Thornley (i.e. Thornlaw North) would be ideally suited to a programme of clearance of Council Housing and the redevelopment with modern private housing to provide accommodation for both local families and persons wishing to relocate to the village.
- 3.2 The site at Thornlaw North has been sold to Persimmon Homes who have obtained Planning Permission to construct 110 new houses being a mix of 2, 3 and 4 bedroomed houses and have recently started construction on site.
- 3.3 With the exception of numbers 69 and 92 Thornlaw North, all other properties on the site were either owned by the District Council and the tenants have been relocated into alternate Council or Housing Association accommodation, or were acquired under the Right to Buy legislation and terms have been agreed by negotiation with the owners for the re-purchase.
- 3.4 The two outstanding properties are end terraces in blocks of four houses. As such until these properties can be acquired, the blocks cannot be demolished this being a fundamental requirement in facilitating a comprehensive redevelopment of the area.
- 3.5 A copy of this statement or reasons relative to Compulsory Purchase Order is attached as Appendix 1. This sets out in further details reasons for acquiring the properties.

# Item no.

## **4.0 Position Statement and Option Appraisal**

- 4.1 Attempts to negotiate with the owner of 92 Thornlaw North have been unsuccessful. The owner has been offered both a monetary compensation package and the option of purchasing/renting other vacant Council properties in the village. All options to date have been rejected.
- 4.2 The position in relation to number 69 is that attempts to contact the owner have been unsuccessful. It is understood that the owner lives abroad. As such it has not been possible to enter into discussions to try and purchase the property by negotiation.
- 4.3 As a consequence of the inability to purchase the two outstanding properties by negotiation, it is considered that the Council should use its Compulsory Purchase Powers to acquire the properties in order to ensure that the comprehensive redevelopment of the area can be concluded.
- 4.4 A Notice of Intention to make a General Vesting Declaration will be publicised and if no objections to the compulsory purchase order and General Vesting Declaration are received demolition may commence after 3 months.
- 4.5 Acquisition of the two properties will complete the clearance of the site.
- 4.6 A General Vesting Notice will be served on all owners of property that the Council has not acquired.

## **5.0 Implications**

- 5.1 Financial  
There are no financial implications envisaged as a consequence of this report, however, should the matter proceed to a Public Enquiry or Lands Tribunal then there may be financial implications. Such implications would form the basis of a separate report.
- 5.2 Legal  
All representations must be taken into account prior to declaration. Those representations received relate exclusively to matters which can be dealt with by the Lands Tribunal. As such the Secretary of State is entitled to disregard them and therefore will not affect the compulsory purchase order.
- 5.3 Policy  
The proposal will complete the Thornlaw North clearance scheme.
- 5.4 Risk  
A risk assessment has been carried out.
- 5.5 Communication  
If approval is obtained the proposal will be publicised locally and in a local newspaper in accordance with the statutory procedure.
- 5.6 Corporate  
There are no corporate implications
- 5.7 Equality and Diversity  
There are no implications

# Item no.

5.8 E-Government  
There are no implications

5.9 Procurement  
There are no implications

## **6.0 Recommendations**

6.1 It is recommended that the Council formally resolve to undertake the preparation and submission to ODPM for consent to use the Compulsory Purchase powers vested within the Authority to acquire 69 and 92 Thornlaw North to facilitate the comprehensive redevelopment of the area in accordance with its Regeneration/Housing Strategy.

## **7.0 Background Papers**

File Ref. Thornley 37 – Asset and Property Management Section  
Town and Country Planning Act 1990  
Acquisition of Land Act 1981