

RECOMMENDATIONS TO CABINET – 6 SEPTEMBER 2011

FROM THE RESOURCES AND PERFORMANCE PANEL MEETING HELD ON 31 AUGUST 2011

RP45: POTENTIAL COMPULSORY PURCHASE ORDER: NORTHWOLD

Prior to consideration of the Cabinet Report on the Potential Compulsory Purchase Order at Northwold, the Panel received a presentation from the Enforcement Team Leader on the process of obtaining a Compulsory Purchase Order.

The Enforcement Team Leader presented a report which sought approval for the Council to make use of the powers available to local authorities under the Planning and Listed Building Act 1990, Section 47-48 and to promote a Compulsory Purchase Order for The Manor House, 53 High Street, Northwold, Norfolk, to enable it to be properly preserved.

The Panel were informed that the Council considered that the compulsory purchase of the land would facilitate the carrying out of restoration work which would secure the future preservation of the building, making a positive contribution to the character and appearance of the land and promote the social and environmental well being of the surrounding area for the reasons explained in the report.

The Enforcement Team Leader explained that the Borough Council had a statutory duty under the Act to protect and enhance Listed Buildings within their administrative area. As part of that duty the Council maintained a building at risk register, which identified those buildings, considered to be at significant risk in order that the Council could exercise its statutory powers to maintain these buildings through the service of a repairs notice. The property at The Manor House, 52 High Street, Northwold had been identified by the Development Team as a candidate for compulsory purchase in view of the fact that it is a Grade II Listed Building in very poor physical condition and had remained unoccupied for in excess of 20 years.

The Enforcement Team Leader outlined the following details as set out in the report:

- Description of the Building and Land.
- Purpose and Justification of the Order.
- Policy Implications.
- Financial Implications.
- Statutory Considerations.
- Human Rights.

In response to questions from Councillor de Winton, the Enforcement Team Leader explained that before taking possession of the building the Council would ensure that a third party had been engaged. It was hoped that in this case the Council would pass the building onto the Norfolk Historic Buildings

Trust. He also explained that the Norfolk Historic Buildings Trust was considered to offer the best chance of securing the proper repair, restoration and maintenance of the Land for the reasons set out at section 3.11 of the report.

The Enforcement Team Leader advised the Panel that, if appropriate, an urgent works notice would be served in mid-September and that in parallel to obtaining a Compulsory Purchase Order, the enforced sale procedure would also commence and the Council would be able to recover the costs involved in pursuing this course of action.

Councillor J Collop asked what the annual budget was for the Derelict Land and Buildings Group, and at what point was a decision made that a particular building could not be saved. In response, the Enforcement Team Leader explained that the annual budget for the group was £20,000. The Panel were advised that a Listed Building could be de-listed if there was a valid reason for doing so and that the building was no longer considered to be of historic importance.

Councillor de Winton enquired what the total cost of the repair works were likely to be and that the £20,000 annual budget did not appear to be sufficient to carry out relevant works. In response, the Enforcement Team Leader explained that the cost would be recovered through the developer or private purchaser.

In response to questions from Councillor Loveless on the annual budget and legal process, the Enforcement Team Leader explained that the workload was spread amongst Derelict Land and Buildings Group and the Enforcement Team.

The Deputy Chief Executive advised that the Council would “gap fund” any associated works whilst the Enforcement Team recovered costs.

RESOLVED: That Cabinet be advised that the Resources and Performance Panel supports the recommendations as set out in the report to Cabinet as follows:

“That Cabinet agrees to the proposal to promote a Compulsory Purchase Order for the acquisition of the land with a view to its subsequent disposal”.