

Cabinet - 23 March 2005

Land in Blakenall/Harden: Housing Renewal Project Phase 2: Possible Use of Compulsory Purchase Powers

Portfolio: Councillor Adrian Andrew - Regeneration
Councillor John O'Hare - Resources Performance Management
Councillor Melvin Pitt - Housing and Community Safety

Service Areas: Urban Regeneration
Resources and Performance Management
Housing and Community Safety

Ward: Blakenall

Forward Plan: Yes

Summary of Report

A physical regeneration framework for the Blakenall Bloxwich New Deal for Communities area prepared by Taylor Young consultants, was endorsed by the partnership between the Council, WHG and the New Deal Board in 2003. A Strategy for Housing was proposed, based on delivering a more sustainable range of housing in the area by the assembly of land for new development through property acquisition and demolition as appropriate. At its meeting on 16 July 2003, Cabinet agreed to support in principle the use of compulsory purchase powers in respect of privately owned properties to be included in Phase 1 of the housing renewal project, in the event that it was not possible to acquire these properties by negotiation. A development brief was approved by the partners late in 2003.

During 2004, acquisition and site assembly was completed on the Phase 1 sites (comprising Victoria House, Blakenall Close, Walker Road and Taylor Avenue) without the need to resort to the use of compulsory purchase powers, and a private sector developer partner was selected. It is expected that a planning application will be submitted for the Taylor Avenue site by 23 March 2005.

Work has begun on non-sustainable and declining housing in the surrounding areas, in particular the Poets Estate, focussing on Shakespeare Crescent, within the general area as outlined on plan no. EPMS2767 attached. WHG are in the process of assembling land in this area for new development through property acquisition and demolition as appropriate. The relocation of tenants and the completion of acquisition of the privately-owned property would allow the remaining housing to be demolished, the development area to be defined, and the process of securing a developer to implement Phase 2 of the project to be accelerated.

The report seeks Cabinet agreement in principle for the use of compulsory purchase powers in the event that it is not possible to acquire all privately-owned properties in Phase 2 of the project through negotiation. This agreement demonstrates the Council listening to our partners and working in partnership to help achieve the objectives of making sustainable change in the area.

It is envisaged that the clearance programme for Phase 2, provided compulsory purchase does not become necessary, will take approximately 18 months. With regard to the redevelopment of the land to follow, it is intended to prepare a brief setting out development principles, including the type of housing. This would be considered by the housing partnership, followed by consultation in the wider community before finalising any decision. A development partner would then be selected on the basis of the developer's ability to fulfil the brief, and a planning application invited.

The alternative to redevelopment is to retain housing which has been identified within a declining area of low housing demand and deteriorating environmental quality. A strategy of retaining and refurbishing this housing would not be sustainable, and would not achieve the step-change in perception and environmental quality that the local community wish to take place.

Recommendation

Cabinet agree in principle the use of compulsory purchase powers in respect of properties in Blakenall/Harden which form the Housing Renewal Project Phase 2 within the general area as shown on the attached plan no. EPMS2767, subject to the full costs of such action being met by Walsall Housing Group, in the event that it is not possible to acquire the properties by negotiation.

Resource and Legal Considerations

Bloxwich Housing Trust has indicated that the rehousing of tenants is progressing and negotiations are in progress with many of the owner occupiers for voluntary acquisitions. As with Phase 1, the objective in Phase 2 is to acquire these properties through negotiation. However, this may not be possible and WHG request that the Council support in principle the use of compulsory purchase powers if required.

The Authority has powers under various statutes to pursue the compulsory purchase of land if the acquisition of privately owned property cannot be negotiated. Under Section 226(1) (a) of the Town and Country Planning Act 1990, the local authority has powers to acquire compulsorily any land in its area if it thinks the acquisition will facilitate the carrying out of development, redevelopment or improvement on or in relation to the land. The power is exercised where the Council thinks the development, redevelopment or improvement is likely to contribute to the achievement of one or more of the following objects:-

- (a) promotion or improvement of the economic well-being of their area;
- (b) the promotion or improvement of the social well-being of their area;
- (c) the promotion or improvement of the environmental well-being of their area.

In the event that a Compulsory Purchase Order is necessary to acquire property, the Council would enter into a legally binding agreement with WHG through Bloxwich Housing Trust to ensure that the Council's full costs in making the Order are met. The costs of a CPO would be legal and administrative costs, plus the cost of acquiring individual properties at market value. Whilst it may be possible for a developer to negotiate directly with owners to acquire property, the success of the housing renewal project depends on being able to offer comprehensively assembled, cleared sites to the market.

The Council's resources would only be required to pursue compulsory purchase action if it this becomes necessary. Should a CPO become necessary, this may result in a Public Inquiry to hear any objections. In this case, it would be necessary to demonstrate that every opportunity had been pursued to secure a negotiated settlement. A further hearing may take place at the Lands Tribunal if there was a dispute as to compensation between the parties in the event that a CPO was confirmed by the Secretary of State. These costs again will be met by WHG.

Citizen Impact

The housing renewal project will directly benefit citizens in Blakenall and Harden by providing choice in the housing market without the need for people to leave the area.

Individual citizens, as tenants or property owners will be directly affected, the latter through the acquisition by negotiation or compulsory purchase. Council intervention through compulsory purchase would only then be acted upon if this becomes unavoidable. WHG will discuss with residents opportunities for rehousing.

Community Safety

Crime has been a contributory factor in the decline of this area. Measures to combat crime within the existing urban form will not be sufficient to renew confidence, and there is recognition within the community that an approach which includes comprehensive redevelopment will be necessary to achieve the step-change necessary in this area. Comprehensive redevelopment will provide the opportunity to redefine the street pattern, improve the environment, and incorporate 'Secured by Design' principles into the modified urban form.

Environmental Impact

Compulsory purchase would be used if necessary to enable redevelopment to take place. Redevelopment provides the opportunity for significant environmental enhancement in the area by the removal of non-sustainable housing and underused land, and the creation of new high-quality housing development.

Policies are included within the UDP Review to ensure that new housing development will contribute in terms of layout, design and landscaping towards the environmental improvement of the urban area.

Performance and Risk Management Issues

The redevelopment of this previously developed area will make a contribution to future brownfield housing completions, which is a Best Value Performance Indicator BVPI 106: (Percentage of New Homes Built on Brownfield Land). This was set at 80% for 2004/5 based on the 84% out-turn for 2003/4. The long term local target for brownfield completions is 90%.

Assembling land in preparation for new development is a lengthy process. WHG have indicated that CPO action may not be required. There is, however, a risk of delay to the project if a Public Inquiry takes place. This risk may be avoided if acquisition of all the privately owned properties can be negotiated. In any event, the risk of delay to the process is likely to be reduced by involving residents, keeping the community fully informed on the partners' intentions, and fully communicating owner's rights in relation to compulsory purchase.

Equality Implications

The Housing Renewal Strategy has the support of the partnership and the local community. Bloxwich Housing Trust have a continuing programme of consultations to keep those affected informed. The community will be fully consulted on future detailed development proposals and will have the opportunity to comment on any future scheme and planning applications submitted by the eventual developer.

Consultation

The regeneration strategy for this area was subject to consultation with the NDC Board and Bloxwich Housing Trust from 2001 onwards.

Vision 2008

It is expected that redevelopment will result in a high quality physical environment, which will contribute to transforming the image of the area.

The Council's key housing aim is to 'Improve the quality of life of Walsall citizens, by ensuring access to homes of quality, across all tenures through housing initiatives, programmes and strategies that will produce a decent home for all in the social rented sector and significant improvements for the vulnerable in the most deprived private sector areas by 2010.'

Background Papers

All published.

Contact Officer

Charles Stallard, Principal Development Officer. Ext 2494
stallardc@walsall.gov.uk

Signed: 

Executive Director:

Date: 14 March 2005

Signed: 

Portfolio Holder: Councillor John O'Hare

Date: 14 March 2005

Signed: 
Councillor Tom Ansell, on behalf of:

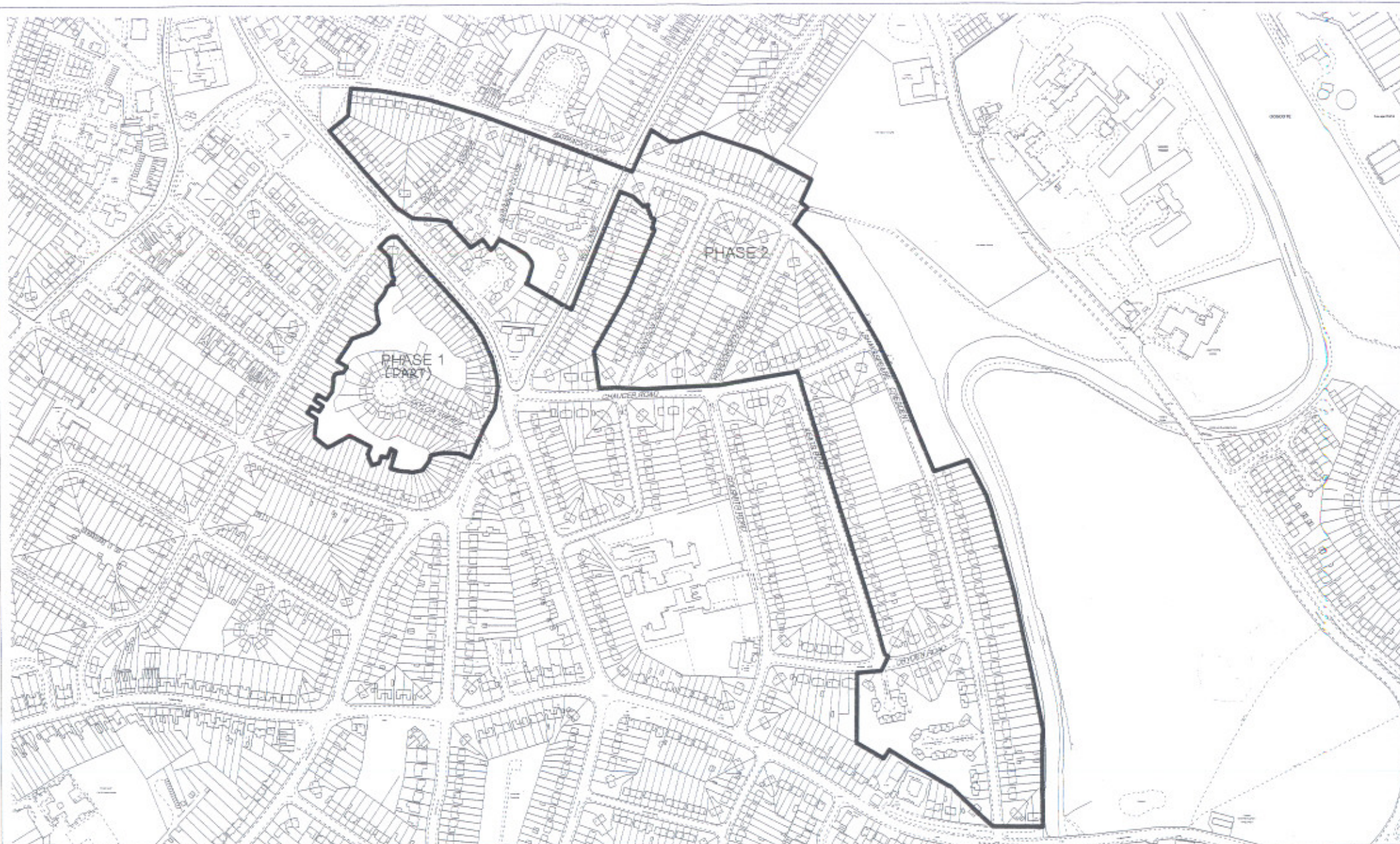
Portfolio Holder: Councillor A Andrew

Date: 14 March 2005

Signed: 

Portfolio Holder: Councillor Melvin Pitt

Date: 12 March 2005

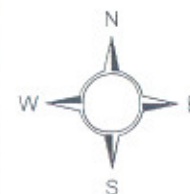


Walsall
Metropolitan Borough Council

Property & Development Services
Civic Centre
Darwall Street
Walsall, WS1 1TP
Tel: 01922 652084
Fax: 01922 636150

BLAKENALL HOUSING
RENEWAL PROJECT

PLAN NO EPMS 2767
DATE 09/03/2005
DRAWN BY TJL



Based or reproduced from
Ordnance Survey 1:1250
base map with the permission
of H.M.S.O. Crown Copyright
Reserved. Licence No. LA 076414

Scale 1:3500