

## **Derelict Sites Task Force Update**

**Ward(s):** All

**Portfolios:** Deputy Leader & Regeneration

### **1. Aim**

- 1.1 Regeneration of derelict sites and buildings is a key aim for the Walsall Council. The council is showing civic leadership by compiling information on these sites and creating a set of actions to address the problems caused by their condition, with a view to improving the experience, safety and enjoyment of local residents.

### **2. Recommendations**

- 2.1 That the Economy and Environment Overview and Scrutiny Committee note the progress set out in this report.
- 2.2 That the committee note the report brought to cabinet on 8 February 2023, to set out the criteria for intervention and to confirm cabinet's support in principle for the use of compulsory purchase orders (CPOs) to acquire derelict sites with a view to enabling safe and attractive development, and to note the update activity being pursued.

### **3. Report Detail – Know**

- 3.1 Whilst the regeneration of these void and sometimes derelict sites is a key factor in resolving their long-term impact on local communities; the impact 'here and now' from anti-social behaviour and environmental hazards requires the council to consider the use of all its enforcement tools and legal powers to reduce or resolve the problems being experienced. The year 2023/4 has seen community protection receive fifty-nine complaints about empty premises and associated anti-social behaviour or nuisance. Thirty-three of these complaints were resolved through liaison with owners or third parties and without the need to take legal action, three have resulted in formal intervention or enforcement the others are still subject to investigation and are in process.

- 3.2 In the last twelve months relationships between services dealing with such premises has improved significantly and is becoming much more coordinated and efficient this includes enforcement teams such as planning, building control, housing standards and community protection but also links to children's services who raise safeguarding concerns about young people attending such premises. This improvement has seen derelict premises regularly reported through the council's locality tasking meetings in the north and south of the borough. Partners including the police, fire service and others discuss cases and any actions required to deal with them before tasking relevant staff with carrying out the action.
- 3.3 In recent months enforcement officers have started using community protection warnings and notices to enforce improvements to derelict properties including removal of fly tipping, fencing of land, removal of overgrowth and the control of pests. Whilst this can be costly to implement and requires robust debt recovery processes it provides a much more satisfactory resolution to cases than simply boarding windows and doors. Whilst it would be beneficial for property owners to quickly bring properties back into use even experienced officer have been surprised recently at the determination and persistence of those trespassers breaking into the premises and the damage they are causing.
- 3.4 The housing standards team collate information with regard to empty residential premises in the borough and ten such premises have been approved for compulsory purchase in order to be brought back into use. The team has also concluded that there are at least a further fifty-five residential premises in the borough that have been empty for over ten years but that within current resourcing the capacity to deal with these premise is limited.
- 3.5 The planning, enforcement and building control teams have been supporting the derelict sites taskforce focusing on taking action and supporting redevelopment of derelict sites. This includes serving enforcement notices to secure improvements to the appearance of the sites, taking direct action on sites causing most harm to amenity, processing and issuing planning permissions and supporting developers at pre-application stage to encourage early redevelopment. Some of the recent actions include the following:
- Planning permission granted in July 2023 for residential development on the site of the former Eagle PH, Cresswell Crescent following which the building has now been demolished.
  - Planning permission has also been granted in August 2023 for residential development on the site of the former Windmill PH, Aston Road, Willenhall.
  - The Royal Exchange, Stafford Road, Bloxwich has been secured by fencing supported by advice from the conservation officer. Subsequently a listed building urgent works notice was served on 18 August 2023 requiring works to secure and protect the building.
  - Court action is being pursued in respect to a S215 notice served on the owners of the Brown Jug PH, Sandbeds Road, Willenhall with further court hearing due later in the year. In the meantime, the building control team has ensured the site fencing has been repaired and site secured.

- Planning application for the Royal Oak, Chester Road, Brownhills determined in August 2023. Despite this being a refusal on technical and design matters the overall principle of residential development is supported and a revised application is expected.
  - Negotiations with officers continue on key historic buildings throughout the borough to encourage reuse to protect their future.
- 3.6 The council's regeneration team have been working on a series of derelict sites in the Willenhall framework area to bring them back into productive use and the first phase of this activity was subject to a cabinet approval in July this year.
- 3.7 Willenhall has been identified by the council as an area for strategic intervention with cabinet previously agreeing to support a targeted programme of activity to regenerate the area. Since then work has continued to explore and promote opportunities for growth and investment. The planned opening of the new railway station and promotion of the Walsall growth corridor as a priority for housing delivery and sustainable growth provides a real opportunity to promote Willenhall as a place where people aspire to live, work, and spend leisure time. Furthermore, the council has successfully secured external funding from the government's levelling up fund round 2 (LUF2) and the West Midland Combined Authority's land and property investment Fund (LPIF) to help support intervention in Willenhall.
- 3.8 At its meeting on 9 February 2022, cabinet agreed to:
- Support the Willenhall framework plan, a 10-year vision for housing growth and place making in the area that identifies Moat Street and Villiers Street as a phase 1 opportunity for residential-led development that also includes new open space and highway improvements. Importantly, the proposed redevelopment of the site will contribute to the wellbeing of the area by removing derelict and under-utilised land and property and provide much needed high quality and affordable new homes in a sustainable location.
  - Approve the use of compulsory purchase powers in-principle for phase 1 where land could not be acquired by agreement within a reasonable timeframe, noting that approval to make any compulsory purchase order (CPO) to facilitate land assembly to deliver phase 1 ("order") would be subject to a future cabinet report.
  - Approve the outline business case for phase 1 and the associated budget to support land assembly.
  - Approve further work to identify a preferred development partner procurement route noting that approval of the procurement approach would be subject to a future cabinet report.
- 3.9 At its meeting on 19 July 2023 cabinet agreed to:
- the making, confirmation, and implementation of the order and to take all necessary steps to give effect to the order in respect of the order land including, but not limited to, the following procedural steps:

- i. finalise the statement of reasons setting out the council's reasons for making the order and how these accords with government guidance on CPO;
- ii. making the CPO, the publication and service of any press, site and individual notices and other correspondence for such making;
- iii. acquire all interests within the order Land as may be necessary to facilitate the scheme, either by agreement or compulsorily, including entering into negotiations with any third parties for the acquisition of their land interests;
- iv. the payment of compensation and dealing with any blight notices served in connection with the CPO;
- v. approve agreements with landowners or statutory undertakers as applicable, setting out the terms for withdrawal of any objections to the CPO, including where appropriate seeking exclusion of land from the CPO;
- vi. make any necessary additions, deletions, or amendments to the order land and to seek any requisite modifications to the CPO and any Order maps (as may be considered necessary);
- vii. the preparation and presentation of the council's case at any public inquiry which may be necessary;
- viii. seek confirmation of the order by the Secretary of State (or, if permitted, by the council pursuant to Section 14A of the Acquisition of Land Act 1981) (the 1981 Act);
- ix. in the event the order is confirmed, publication and service of notices of confirmation of the order and thereafter to execute and serve any general vesting declarations and/or notices to treat and notices of entry, and any other notices or correspondence to acquire those interests within the area;
- x. including, if required, high court enforcement officer notices; and
- xi. all steps in any legal proceedings related to the order including referral and conduct of disputes, relating to compulsory purchase compensation, to the Upper Tribunal (Lands Chamber) and/or the courts and any appeals.

#### **4. Decide**

- 4.1 The committee is asked to note the progress being made by the derelict sites task force.

#### **5. Review**

- 5.1 The council will develop a business case for each site as it comes forward and also review the capital programme accordingly.

#### **Background Papers**

None.

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