

REPORT



REPORT OF	MEETING	DATE	ITEM NO
RESOURCES DIRECTORATE	FINANCE AND DEMOCRACY COMMITTEE	25 JANUARY 2016	4

PROPOSED COMPULSORY PURCHASE OF PROPERTY TO DELIVER AFFORDABLE HOUSING

PUBLIC ITEM

This item is for consideration in the public part of the meeting.

SUMMARY

This report seeks approval of a fully-funded addition to the 2015/16 capital programme to cover the projected cost of the compulsory acquisition of 93 St Albans Road, Lytham St Annes, as recommended by the Environment, Health and Housing Committee.

RECOMMENDATIONS

1. Approve a fully funded addition of £105,000 to the Councils 2015/16 Capital Programme for the compulsory purchase of 93 St Albans Road to be met from a Section 106 contribution (Agreement Ref: 03/0157 – Queen Mary School Development) held by the council paid under planning obligations for affordable housing of the same amount.

SUMMARY OF PREVIOUS DECISIONS

On 4th July 2012, the Portfolio Holder for Finance and Resources in consultation with the Portfolio Holder for Planning and Development approved the following:

1. *The portfolio holder agrees to the request from New Fylde Housing for s106 affordable housing monies to support the purchase of 93 St Albans Rd St Annes as phase one of a comprehensive scheme of improvement to the property.*
2. *The portfolio holder approves a revenue budget increase for 2012-13 of £85,000 to fund the payment to New Fylde Housing fully funded from the s106 affordable housing monies held by the council.*

Cabinet, 25 June 2014:

1. *Seek further to engage with the property owner with a view to acquiring the property voluntarily as mandated by previous decisions*
2. *If a voluntary sale is not achieved within a reasonable time, make a compulsory purchase order to acquire 93 St Albans Road, St Annes for the purposes of part II of the Housing Act 1985 for redevelopment to deliver 2/3 affordable housing units.*

Environment Health and Housing Committee, 8 September 2015:

Confirm the Fylde Borough Council (93 St Albans Road, Lytham St Annes) Compulsory Purchase Order 2015

Environment, Health and Housing Committee, 5 January 2016:

- 1) *Recommend to the Finance & Democracy Committee a fully funded addition of £105,000 to the Councils 2015/16 Capital Programme for the compulsory purchase of 93 St Albans Road to be met from a Section 106 contribution (Agreement Ref: 03/0157 – Queen Mary School Development) held by the council paid under planning obligations for affordable housing of the same amount.*
- 2) *Approve, subject to the Finance and Democracy Committee having accepted recommendation 1), the making of a general vesting declaration in respect of the property and the onward transfer of 93 St Albans Road to New Fylde Housing Ltd (or another company in the Progress Housing group) for nil consideration.*

REPORT

1. On January 5, the Environment, Health and Housing Committee considered a report concerning the proposed compulsory purchase of 93 St Albans Road, Lytham St Annes. The report contained a recommendation that the Environment, Health and Housing Committee ask the Finance and Democracy Committee to approve a fully-funded addition to the 2015/16 capital programme to support the proposed compulsory purchase. The present report, written before the January 5 meeting, assumes that the Environment, Health and Housing Committee accepted that recommendation.
2. The report to the Environment, Health and Housing Committee is attached. Members are asked to approve the requested addition to the capital programme, which would be fully funded from section 106 housing monies, as set out in the attached report.

IMPLICATIONS	
Finance	This report requests a fully funded addition of £105,000 to the Councils 2015/16 Capital Programme for the compulsory purchase of 93 St Albans Road to be met from a Section 106 contribution held by the council paid under planning obligations for affordable housing of the same amount.
Legal	The compulsory purchase order gives the council the authority to acquire the property compulsorily. A general vesting declaration would be the most appropriate means of effecting that authority.
Community Safety	There are no direct community safety implications arising from the report
Human Rights and Equalities	There are no direct human rights and equalities implications arising from the report
Sustainability and Environmental Impact	There are no direct sustainability and environmental implications arising from the report
Health & Safety and Risk Management	There are no direct health and safety or risk management implications arising from the report

LEAD AUTHOR	TEL	DATE	DOC ID
Ian Curtis	01253 658506	23 December 2015	

LIST OF BACKGROUND PAPERS		
Name of document	Date	Where available for inspection
None		

Attached documents

1. Report to Environment, Health and Housing Committee meeting of 5 January 2016