



Report to Cabinet

Date: 12 May 2005

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Subject: Honeywood Gardens Garage Courts

Members will recall that in 1998, the Council made a Compulsory Purchase Order relating to one of the garage courts at Honeywood Gardens. The Order was made to facilitate the proper planning objectives for the area after many of the garages had fallen into disrepair and became a focus for fly tipping and anti-social behaviour.

There are ten other garage courts on the estate and similar problems are becoming apparent with these. A preliminary survey has been carried out to assess the feasibility of compulsorily acquiring these remaining garage courts for development at no cost to the Council.

The process of acquisition is complex and time consuming at this site because of the nature of the landholdings. To process the Order it will initially be necessary to establish the freeholder, the leaseholder and the occupier of each garage, and in many cases, this is three different people, or companies. If there are objections from any of these parties then there will usually be a public inquiry. Once the Order has been made, assuming that there is no appeal lodged, it will be necessary to agree compensation and costs with each of the affected parties.

It is clear, therefore, that the time scale is difficult to estimate as is the required legal/valuation resource.

It is proposed that if members are minded to consider a Compulsory Purchase Order for the garage courts, that the additional legal/valuation resource be purchased externally as a project of this magnitude could not be accommodated with existing staff. It is considered that the most efficient way of approaching the Compulsory Purchase Order would be to include all affected garage courts in one rather than attempt to deal with the acquisition on a piecemeal basis; this latter course would inevitably prolong the process and delay a comprehensive approach to the issues.

The preliminary survey shows the potential values and costs of a Compulsory Purchase Order - set out in the table below:

Indicative Costings For Compulsory Purchase Action

Summary

SITE	POSSIBLE RELEASED VALUE	COSTS	DIFFERENCE
A	N/A		
B	£135,000	£65,500	£69,500
C	£22,000	£34,000	- (£12,000)
D	£70,000	£17,000	£53,000
E	£30,000	£37,000	- (£7,000)
F	£13,000	£9,500	£3,500
G	£170,000	£61,000	£109,000
H/J	£12,000	£22,000	- (£10,000)
K	£11,000	£16,000	- (£5,000)
L	£5,000	£5,500	-(£500)

It is considered that the surplus released value will cover the cost of the additional legal/valuation resource required.

Before a Compulsory Purchase Order can be made the Council would have to be satisfied that the land is necessary for a purpose in the interests of the proper planning of the area or to facilitate development or improvement in relation to the land.

The Planning Department are considering the planning issues affecting the garage courts.

It is **recommended** that members consider whether they would wish to proceed, in principle, with a Compulsory Purchase Order for the garage courts and, if so, to resolve:

- (i) To agree in principle that the ten garage courts at Honeywood Gardens be compulsory purchased by the Council at the same time;
- (ii) To carry out further enquiries as to the planning of the courts and the cost of additional resources required

