MANCHESTER CITY COUNCIL
REPORT FOR RESOLUTION

COMMITTEE EXECUTIVE

DATE 30th MAY 2007

SUBJECT NORTHMOOR ROAD RENEWAL AREA, LONGSIGHT
PROPOSAL TO MAKE THE CITY OF MANCHESTER
(PATEY STREET, LONGSIGHT) COMPULSORY PURCHASE ORDER 2007

REPORT OF THE DIRECTOR OF HOUSING
THE DIRECTOR OF NEIGHBOURHOOD SERVICES

PURPOSE OF REPORT

1. Further to the report previously approved by the Executive on 17th March 2004, to update the Executive with progress made on voluntary acquisitions in the proposed compulsory purchase order (CPO) area and to seek permission to proceed with the making of a compulsory purchase order (CPO) on a revised scheme under the provisions of Section 17 of the Housing Act, 1985 to compulsorily acquire the land and buildings for the purpose of providing housing accommodation. The level of detail in this report has been necessary because of the guidance requirements of Housing Circular 06/2004.

RECOMMENDATIONS

The Executive is asked to:

1. Authorise the making of a compulsory purchase order (CPO) under Section 17 of the Housing Act, 1985, and the Acquisition of Land Act 1981 to acquire all interests in the buildings/land detailed below in Table 1 and shown on the plan at Appendix 1;

<table>
<thead>
<tr>
<th>Mackenzie Street</th>
<th>Numbers 1, 3, 5, 7, 9, 11, 13, (odds) (7 dwellings)</th>
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</thead>
<tbody>
<tr>
<td>Patey Street</td>
<td>Numbers 1, 3, 5, (odds) (3 dwellings)</td>
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<tr>
<td></td>
<td>Numbers 41, 43, 45 (odds) (3 dwellings)</td>
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<tr>
<td></td>
<td>Numbers 2, 4, 6 (evens) (3 dwellings)</td>
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<tr>
<td>Santley Street</td>
<td>Numbers 1, 3, 5, 7, 9, 11, 13, 15 (odds) (8 dwellings)</td>
</tr>
<tr>
<td>Sherrington Street</td>
<td>Numbers 1, 3, 5, 7, 9, 11, (odds) (6 dwellings)</td>
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<tr>
<td></td>
<td>Numbers 2, 4, 6 (evens) (3 dwellings)</td>
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<tr>
<td>Tallis Street</td>
<td>Numbers 1, 3, 5 (odds) (3 dwellings)</td>
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<td></td>
<td>Numbers 2 and 20 (evens) (2 dwellings)</td>
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<tr>
<td></td>
<td>Land, the former sites of Numbers 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46 Tallis Street</td>
</tr>
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CPO PATEY STREET REPORT
2. Authorise the City Solicitor, prior to the making of the Order, to draw up an agreement with Manchester Methodist Housing Association in which Manchester Methodist Housing Association will agree to underwrite the acquisition costs of the necessary interests in the proposed CPO area and all the other costs of making the Order.

3. Subject to the satisfactory completion of the agreement referred to in 2 above, to:
   
   (a) Formally declare the area shown on the plan at Appendix 1 to be the City of Manchester (Patey Street, Longsight) Compulsory Purchase Order 2007;
   
   (b) Authorise the Director of Housing to make minor or technical amendments to the CPO boundary as shown on the plan at Appendix 1, if necessary;
   
   (c) Authorise the Director of Housing to alter the CPO boundary as shown on the plan at Appendix 1 so as to exclude any land/interests prior to sealing of the order, if, in the light of new information, it appears to the Director expedient for the confirmation of the order;
   
   (d) Authorise the City Solicitor to seal the order and to take all necessary steps, including the publication of all statutory notices, to secure confirmation of the order by the First Secretary and the vesting of the land/interests in the City Council;
   
   (e) Authorise the Director of Housing to request confirmation of the order with modifications, if, in the light of new information, it appears to the Director expedient for the confirmation of the order;
   
   (f) Authorise the Director of Housing (in the event that the Secretary of State notifies the Council that it has been given the power to confirm the Order) to confirm the Order, if she is satisfied that it is appropriate to do so.
   
   (g) Agree that the City Council will secure the provision of, or provide, rehousing, as necessary, for the remaining occupiers of properties in the compulsory purchase order area as required by Section 39 of the Land Compensation Act, 1973;
   
   (h) Agree the following rehousing and compensation arrangements:
      
      i) Rehousing to be made available, as necessary, for all residents in accordance with current City Council policy.
      
      ii) Housing of comparable size and accommodation type to be made available in accordance with current City Council policy.
      
      iii) Discretionary Home Loss and Disturbance payments to be available to all qualifying residents requiring relocation.
      
   (i) Authorise the Head of Valuation and Property Services to negotiate the purchase by agreement of any necessary buildings/land/interests within the CPO prior to the confirmation of the order;
   
   (j) That, upon acquisition, the buildings/lands/interests so acquired be vested in the Land and Property Land Holding Account pending disposal.
(k) Agree, having regard to the policy adopted by the City Council on the 13th September 2006, to make Relocation Assistance available for the relocation of qualifying owner – occupiers displaced by any agreed compulsory purchase order proposals;

(l) Authorise the Head of Valuation and Property Services, in consultation with the Director of Housing, and subject to the consent of the Secretary of State, where necessary, to agree any subsequent disposal of the buildings/land/interests within the Order to Manchester Methodist Housing Association at market value.

(m) Agree to the submission of a copy of the above resolutions to the First Secretary of State.

FINANCIAL CONSEQUENCES FOR THE REVENUE BUDGET
None

FINANCIAL CONSEQUENCES FOR THE CAPITAL BUDGET
There will be no further costs to the Council from the making of this CPO. The costs of Home Loss and Disturbance payments and Relocation Assistance to owners and residents within the area, of up to £503,000, have already been charged to the 2004/2005 and 2005/2006 Capital Programmes. The cost of all further expenditure will be borne by Manchester Methodist Housing Association, as detailed in section 2 of this report.

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BACKGROUND DOCUMENTS
Report to, and relevant minutes of, Executive meeting held on 17th March 2004
Report to, and relevant minutes of, Executive meeting held on 25th July 2001
Northmoor Road Renewal Area Concept Plan updated 2002
Northmoor Home Zone bid documents dated April 1999 and September 2001
Joint MMHA/MCC bid to Housing Corporation dated 1999
Local Government and Housing Act 1989
Office of Deputy Prime Minister Circular HRG 05/03 and ODPM Circular 02/03
ODPM Circular 06/2004: “Compulsory Purchase Orders and the Crichel Down Rules”
Northmoor now! An update report on the concept study – Manchester City Council and Manchester Methodist HA, July 2002
Manchester and Salford Housing Market Renewal Pathfinder - South Manchester Initial Proposals.
Crowcroft Family living in Northmoor – brochure describing new build and refurbishment proposals for the area, produced by Plumlife (a division of Manchester Methodist Housing Association)
Manchester Home Improvement and Relocation Assistance Policy 2006
The Planning and Compulsory Purchase Act 2004
The Corporate Housing Strategy
The Community Strategy
Unitary Development Plan (UDP) for the City of Manchester – “The Manchester Plan”

WARD AFFECTED

Longsight

<table>
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<tr>
<th>IMPLICATIONS FOR:</th>
<th>ANTI-POVERTY</th>
<th>EQUAL OPPORTUNITIES</th>
<th>ENVIRONMENT</th>
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<tr>
<th>EMPLOYMENT OPPORTUNITIES</th>
<th>HUMAN RIGHTS</th>
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<tr>
<td>No</td>
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1 INTRODUCTION

1.1 This report follows, and builds on, the report approved by the Executive on 17th March 2004 with regard to the Northmoor Road Renewal Area, which is a multi-cultural neighbourhood with a high proportion of mixed black and minority ethnic residents. The report seeks authority to proceed with the making of the compulsory purchase order previously approved by the Executive in 2004; but on a revised scheme and using alternative legislation.

1.2 The report will discuss the background to the compulsory purchase, briefly outline progress to date on the acquisitions made by voluntary agreement prior to the making of the Order, and explain the reasons behind the proposals for the revised scheme.

2 BACKGROUND INFORMATION INCLUDING FINANCIAL MATTERS

2.1 The City Council declared the Northmoor Road Renewal Area on the 2nd December 1998, under the provisions of the Local Government and Housing Act 1989: Section 89. A map showing the boundaries of the renewal area is attached at Appendix 2. The proposed Order Lands are located within the Renewal Area.

2.2 The City Council’s strategy for investment in the Northmoor Road Renewal Area has been evolving over recent years. The Renewal Area consists of predominantly pre-1919 terraced housing, some of which has already been improved as part of the Northmoor Regeneration Initiative. However, it had been recognised at the time of declaration of the Renewal Area that the choice of property type within the Area was very limited and that it was necessary to create a wider choice of property type to enhance and promote the sustainability of the Area. The local strategic partner RSLs advised that there is a significant demand for larger family accommodation in the area, which has significant Asian and Irish communities. There is already a high level of demand for the development of large 4 and 5 bed family houses in the Northmoor Rd area, with this demand coming predominantly from the Asian community.

2.3 Following declaration of the Renewal Area, the Northmoor Steering Group drew up a Concept Plan, which was agreed with residents of the area in 2000, following extensive consultation. The Concept Plan, “Northmoor Now” was updated in 2002. Some of the key objectives are to:

- reduce the over supply of smaller terraced houses
- increase housing choice in the Area
- provide a more attractive environment and quality open space
- retain existing home owners and attract new owners into the Area

2.4 In order to achieve this, the Concept Plan proposed the selective removal of properties from designated terraces, initially targeting those sections of the blocks with the highest linked number of void properties. In their place it was agreed to build new three storey 3 bedroom/4 bedroom properties with their frontage on the gable elevation and create open areas overlooked by the new development. These open spaces were to be linked by traffic free walkways or “Green Streets” that would have further tree planting and communal areas. This was to take place in phases. The City Council agreed to work in partnership with Manchester Methodist HA, who were to acquire the properties and carry out the redevelopments, and the Housing Corporation, which was to provide funding.
2.5 As part of the above strategy, the City Council promoted the making of the City of Manchester (Prout Street, Longsight) Compulsory Purchase Order 2001 (Phase One of the developments proposed in the Concept Plan) on the 25th July, 2001. The Order consisted of 36 buildings (and land) in 6 different blocks of terraced housing as shown on the map at Appendix 3. The chosen buildings were 2 bedroom, pavement fronted, terraced houses with rear yards, built circa 1900.

2.6 Following the making of the Prout Street (Phase One) CPO, all the buildings contained within it were eventually purchased by agreement from their individual owners without the need for a Public Local Inquiry. All the properties have been demolished and a number of 3 and 4 bedroom houses for rent have been built by Manchester Methodist Housing Association on the land acquired. The new properties have proved very popular and some of the new tenants have already made enquiries about the possibility of buying their houses. The redevelopment won a number of awards, including Best Regeneration Scheme awarded by the Institute of Housing in 2001.

2.7 Subsequent to the declaration of the Renewal Area and the development of the Concept Plan, the area became part of the Pathfinder Area declared by the City Council on becoming one of nine Housing Market Renewal (HMR) Pathfinder partnerships. With respect to Manchester, this status reflects the problem of the abandonment of housing in certain specific neighbourhoods of the City. The Longsight ward falls within the pathfinder area.

2.8 In order to support the Phase Two of the redevelopment, a sum of £503,000 was identified from HMRF monies allocated to the City Council on the 6th October 2003 to support the acquisitions by Manchester Methodist HA. This was to provide funds for Home Loss and Disturbance payments and Relocation Assistance for displaced home owners and tenants. This money has already been paid to Manchester Methodists under an agreement made under s.22 of the Housing Act 1996.

2.9 The original report recommending the making of the Patey Street CPO (Phase Two of the redevelopment proposed by the Concept Plan) was approved by the Executive on the 17th March 2004. The report recommended the selective acquisition and demolition of groups of properties in the Patey Street area. The report detailed the reasons why the 58 chosen properties were considered to be unsustainable. The stated aim was “to provide sites of adequate size and dimensions to facilitate development of new housing or managed open space”. The report explained that local residents supported the need for the provision of larger housing and described the extensive consultations that had been carried out.

2.10 Since that report was approved by the Executive, the making of the Order has been delayed for a number of reasons. The main reason has been that Manchester Methodist HA has had to make substantial alterations to the original proposals and to the financial arrangements, at the request of English Partnerships, as acquisition and rebuilding costs have risen. As well as demolishing some properties and redeveloping the cleared sites with new houses, it is now also proposed to retain and renovate seventeen properties within the Order Lands and to convert fifteen of them into four bedroom houses by the addition of another floor.

2.11 Following approval of the 2004 report, Manchester Methodist HA have continued to negotiate with the owners of the houses in the proposed CPO area to purchase by voluntary agreement. They have been very successful in this and have managed to acquire the vast majority of the properties in the proposed area. Manchester Methodist HA have tried hard to accommodate the needs of owners and residents whose
properties it has acquired and this has resulted in property swaps and the re-housing of displaced residents in their own stock to enable them to relocate in the local area.

2.12 Within the original proposed CPO, the owners of six houses within the original CPO (Nos. 54 - 60 Santley Street, No. 15 Mackenzie Street and No. 13 Sherrington Street) were unwilling to sell their properties to Manchester Methodist HA. It was decided that these could be omitted from the revised CPO because they were not absolutely necessary for the new development proposals. A further property, 4 Tallis Street, has also been omitted because it was bought and renovated by Manchester Methodist HA and then given in exchange for another property in the CPO area.

2.13 A block of thirteen vacant and derelict properties within the Order lands has already been demolished as it was causing considerable blight to the area. Eleven of the houses had already been acquired by Manchester Methodist HA prior to demolition, and the Council served Demolition Orders on the remaining two houses, whose owners were untraceable. The Council has guaranteed that the rights of the owners of these houses to compensation will be unaffected by the demolition in advance of CPO.

2.14 The buildings/land/interests included in the proposed revised City of Manchester (Patey Street, Longsight) Compulsory Purchase Order 2007 have been chosen in consultation with Manchester Methodist HA and local residents to allow Phase Two of the proposals to proceed. English Partnerships had previously agreed to fund Manchester Methodist HA for the acquisition of targeted properties in the Northmoor Road Renewal Area. After lengthy negotiations, English Partnerships and Manchester Methodist HA have now reached agreement in principle with regard to the funding of the proposed new build developments following demolition of some of the properties. The two parties are about to sign a legal agreement.

2.15 Manchester Methodist HA have also now agreed to enter into a legal indemnity agreement with the City Council to reimburse from this funding all of the costs incurred by the Council in the compulsory purchase of properties which Manchester Methodist HA have not been able to acquire by agreement, plus the costs to the Council in making the Order. These interests consist of:

- 34 vacant dwellings and one shop/dwelling (2 Tallis St). The leases in these properties have all been acquired by Manchester Methodist HA however there remain freehold reversions and/or superior leasehold interests to acquire;
- 11 cleared sites: again the leases have been acquired by Manchester Methodists and freehold reversions and/or superior leases are to be acquired;
- 2 cleared sites (38 and 40 Tallis Street) where Manchester Methodists have been unable to acquire any interest due to inability to locate all the owners;
- two occupied dwellings (1 Tallis Street and 5 Sherrington Street) and one shop/dwelling (1 Patey Street).

Discussions continue with the owners of the outstanding properties.

3. PROPOSED PROPERTIES FOR ACQUISITION AND PROPOSED AFTER USE

3.1 The 51 properties (38 buildings and the vacant site of 13 houses) which are now proposed to be included within the Compulsory Purchase Order are marked on the plan
at Appendix 1. There are 36 dwellings and 2 shops within the proposed CPO area and a vacant area of land where 13 properties have recently been demolished. Manchester Methodist HA have already acquired the leasehold interests of 35 of the buildings by voluntary agreement, and another two purchases have been agreed, although these have not yet been completed. This represents 97% of the buildings in the CPO area.

3.2 Manchester Methodist HA has not managed to acquire the freehold interests of those properties it has already acquired. It is therefore necessary to retain the properties and land already acquired by Manchester Methodist HA within the proposed CPO area in order to acquire the freehold interests, and in some cases, superior leasehold interests.

3.3 The owners of two buildings have already agreed to sell to Manchester Methodist HA but the sales have not yet been completed.

3.4 Manchester Methodist HA intend to carry out the following developments within the revised Order lands; once they are acquired:

- 21 buildings (20 dwelling houses and one shop) are to be demolished. It is proposed to build a mixture of houses with 3, 4 and 5 bedrooms on the cleared sites, including the former sites of numbers 22 – 46 Tallis Street.

- 15 vacant houses (Nos 1–15 Santley St and 1–13 Mackenzie St) are to be retained. They are to be renovated and completely remodelled, including adding another floor, thereby converting them into four bedroom houses.

- A further 2 vacant buildings: one house (20 Tallis St and one shop (2 Tallis St) are to be retained and renovated but without adding another storey.

3.5 All the new and improved housing accommodation will be for sale. Homebuyers who are eligible can take advantage of the Homebuy scheme offered by Manchester Methodist HA. This assists local residents who cannot afford a mortgage for the whole purchase price of a house. The home-buyer only needs to obtain a 75% mortgage because Manchester Methodist HA would lend the remaining 25%. No repayment needs to be made until the home is sold.

3.6 Outline planning permission was obtained in May 2004. Manchester Methodist HA is about to submit an application for full planning permission for the proposed scheme. A map showing the proposed redevelopment is attached at Appendix 4.

3.7 All except three of the occupiers of the proposed CPO buildings have already moved, with re-housing, Home Loss and Disturbance payments being provided to them as appropriate, in advance of the proposed CPO. Two of the remaining occupiers, a shop owner and an owner-occupier, have already agreed to relocate to renovated properties provided by Manchester Methodist HA. The proposals contained in this report will necessitate the relocation/rehousing of one additional owner-occupier. Alternative housing will be provided for the displaced owner-occupier if she requires it, together with appropriate help, advice and other assistance. Further details regarding re-housing and Relocation Assistance are given in Sections 6 and 7 below.

4. CONSULTATION

4.1 The previous report in 2004 detailed the extensive consultation carried out in the Northmoor Road Renewal Area regarding the then proposals. Since then, further consultation has been carried out with the owners and residents of the original proposed
Order Lands, which has resulted in seven properties being omitted from the original CPO proposals.

4.2 The proposals regarding the use of the Order Lands, as described in Section 3 above, have been developed in consultation with local residents in order to secure the well being of the persons residing in the Renewal Area.

4.3 Local elected members are aware of, and are supportive of, the proposals.

5. **LEGISLATIVE PROVISIONS**

5.1 Under the provisions of Section 17 (1) (b) of the Housing Act 1985, the local housing authority may acquire houses, or buildings which may be made suitable as houses, together with any land occupied with the houses or buildings.

5.2 Under the provisions of Section 17(2), the local housing authority is empowered to acquire land for the purpose of disposing of houses provided, or to be provided, on the land or of disposing of the land to a person who intends to provide housing accommodation on it.

5.3 Section 17(3) allows the local housing authority to acquire land by agreement, or they may be authorised by the First Secretary of State to acquire it compulsorily.

5.4 Section 18 (1) of the Housing Act 1985 states that, where a local housing authority acquire a building which may be made suitable as a house, they shall forthwith proceed to secure that the building is so made suitable either by themselves executing any necessary works or by leasing or selling it to some person subject to conditions for securing that he will so make it suitable.

5.5 It is a condition of the legislation that, if acquired compulsorily, the land is likely to be used for housing accommodation within ten (10) years of the confirmation of the order. However, Government guidance advises that the First Secretary of State will not normally confirm an order unless satisfied that the re-provision of housing will occur within three (3) years of confirmation. Government guidance also advises that the compulsory purchase should result in a qualitative or a quantitative housing gain.

5.6 It is the Council’s intention to dispose of those interests in the Order Lands not already acquired by Manchester Methodists Housing Association to them subject to the proposed scheme being carried out within an agreed timescale of them obtaining possession of such interests. It is therefore anticipated that the new and improved housing accommodation will be provided well within three (3) years of the confirmation of the proposed order. It is also considered that there would be both a qualitative and a quantitative gain in housing provision as judged against the housing accommodation currently existing. This is because new larger houses are to be built, as well as vacant, rundown houses being enlarged and brought back into use.

5.7 Section 32 of the Housing Act 1985 states that, a local housing authority may not dispose of land held by them under Part II of the Act (land held by them for housing purposes) without the consent of the Secretary of State. The Secretary of State has issued a number of General Consents (“the General Consents for the disposal of Houses and Land 2005”) in respect of such disposals.

5.8 The City Solicitor has advised that, if acquired, the proposed disposal of the property would fall within the terms of The General Consents for the disposal of Houses and Land
5.9 The March 2004 report originally sought permission to use powers to compulsorily purchase land pursuant to Section 93 of the Local Government and Housing Act 1989 (Renewal Area powers). However, the City Solicitor now advises that Section 17 of the Housing Act 1985 is the most appropriate power since some of the houses in the proposed Order have been demolished and their cleared sites are being acquired. The Renewal Area powers only apply to land on which there is existing “housing accommodation” whereas Section 17(2) of the Housing Act 1985 specifically applies to “land” where the purpose of the acquisition is to provide housing accommodation. It is beyond doubt that the Order Lands are “land” within the meaning of Section 17 of the Housing Act 1985.

5.10 The Planning and Compulsory Purchase Act 2004 introduced a new power under which Manchester City Council may, under certain circumstances, confirm its own Compulsory Purchase Orders. If the Secretary of State is satisfied that the statutory notice requirements have been met, that no objection has been made to the Order (or that any objection made has been withdrawn), and that the Order is capable of confirmation without modifications, then he may notify the Council that it has the power to confirm the order.

5.11 Should the Council be given this power, then before confirming the Order, it must be satisfied that the following tests are met:

(a) The requirements set out in Section 17 of the Housing Act 1985 have been met.
(b) The Order is in the public interest.
(c) The Order is proportionate, taking into account alternatives and the impact on the person(s) dispossessed.

At the time of this report these tests are met. If the Secretary of State notifies the Council that the Council may confirm its own Order, then the Director of Housing will reconsider the tests in the light of the facts at the time of confirmation.

6. POLICY CONTEXT

6.1 Section 2 above gives details of the local concept plan for the Northmoor Renewal Area. In addition, the city-wide policy framework which supports the making of a compulsory purchase order is set out in the Community Strategy, the Corporate Housing Strategy, and the planning policy for the area which is contained in the Unitary Development Plan (UDP).

6.2 The Community Strategy identifies the need to sustain communities and enable them to realise their economic and social potential by removing areas of unsatisfactory housing and improving the range of housing quality and choice. It recognises that sustainability hinges on a number of factors, including a safe and pleasant environment, the quality of management of local neighbourhoods, and the ability of all residents to access homes suited to their aspirations.

6.3 The Corporate Housing Strategy plays a key role as a catalyst and contributes to the delivery of the Council’s Community Strategy, and its related emerging Neighbourhood Renewal Strategy, and identifies as key objectives, extending housing quality and choice and maintaining sustainable neighbourhoods. The redevelopment of vacant and problematic properties and the building of new modern houses will help to achieve this as will the improvement of the local environment.
6.4 Although there is no Strategic Regeneration Framework presently in place in respect of this area, the proposals do not conflict with the current Unitary Development Plan (UDP). The general policies in respect of Longsight and Levenshulme allude to the need to:

a. improve the quality and range of housing to meet the needs of the local community;

b. improve the quality of the local environment.”

It is considered that the current proposals come within the above general policies.

6.5 In recognition of housing market failure in certain parts of the country, and the need to tackle the problems this creates, Manchester has been identified by Central Government as one of nine (9) Housing Market Renewal (HMR) Pathfinder partnerships, as mentioned in section 2 above. With respect to Manchester, this status reflects the problem of the abandonment of housing in certain specific neighbourhoods of the City.

6.6 The market renewal partnership including Manchester is a partnership with Salford City Council, the Government Office for the North West, the Housing Corporation, and other partners, to prepare and implement a housing market renewal strategy. This will ensure that market renewal is integrated with the Council’s community, housing, and neighbourhood renewal strategies within a city-wide framework and sub-regional context. Part of the Longsight ward falls within the pathfinder area, including the Order Lands, and these proposals contribute to the housing market renewal programme.

6.7 The provision of new homes and the renovation of vacant, derelict houses will also assist the Council in delivering its target for increasing the number of private sector homes that meet the Decent Homes standard. To meet the interim target set by government, the Council needs to reduce the number of non-decent homes by 13,529 by 2010.

7 REHOUSING/RELOCATION ISSUES

7.1 If the Executive approve the making of the compulsory purchase order under the provisions of Section 17 of the Housing Act, 1985, and agree Recommendation 3(h) at the start of the report, rehousing would be made available to all eligible residents of the affected properties as required by Section 39 of the Land Compensation Act 1973.

7.2 The Director of Housing is of the opinion that the demand for re-housing can be adequately met through direct letting by the City Council or by nomination to housing associations. There are also private landlords in the area that can provide alternative accommodation.

7.3 Provision has already been made in the existing budget for compensation and removal assistance as outlined in paragraph 2.10.

8 RELOCATION ASSISTANCE

8.1 If the compulsory purchase order proposals contained within this report are approved, persons having an interest in buildings/land within the Order will qualify for compensation. With respect to the remaining owner – occupier, this will consist of the market value of her building and a Home Loss Payment. Where a displaced owner – occupier would like to relocate and remain in owner – occupation, he or she may also
qualify for Relocation Assistance under the City Council’s current Home Improvement and Relocation Assistance Policy, adopted by the City Council in September 2006.

8.2 The purpose of Relocation Assistance is to provide financial assistance to qualifying owner – occupiers where their market value compensation and Home Loss payment are insufficient to allow them to move and remain in owner – occupation in a suitable locality. The assistance is in the form of a loan, and is assessed on an individual basis for each applicant in an effort to meet their personal circumstances.

8.3 The cost of Relocation Assistance to the one remaining owner-occupier, will be covered by the indemnity from Manchester Methodist HA.

9 IMPLICATIONS FOR KEY COUNCIL POLICIES

9.1 The implications of this report for the Council’s Environmental policies are that the removal of vacant and derelict properties and the building of new modern houses will result in a greatly improved local environment.

9.2 The implications of this report for the Council’s Anti – Poverty policies are that the provision of more affordable larger dwellings in the area, and the related works, will result in greater housing choice and a more sustainable area.

9.3 The implications of this report for the Council’s Equal Opportunities policies are that the proposals for the area are for the benefit of the whole of this multi - racial and ethnically diverse community and every effort has been made to enable all residents to be fully involved at all stages.

10 HUMAN RIGHTS ISSUES

10.1 Article 8 of the Human Rights Act 1998, provides that “Everyone has the right to respect for his private and family life and his home” and “There shall be no such interference with the exercise of this right except such as is in accordance with the law and necessary in a democratic society for the prevention of disorder or crime, for the protection of health and morals, or for the protection of the rights and freedom of others”.

10.2 Article 1 of The First Protocol to the Act also provides that “Every person is entitled to the peaceful enjoyment of his possessions” and “No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law”.

10.3 When considering compulsory purchase order proposals, the local authority has to have regard to the impact the proposals may have in respect of the above Articles. It is expected that the “doctrine of proportionality” will be applied to ensure “that a measure imposes no greater restriction upon a Convention right than is absolutely necessary to achieve its objectives”. Simply put, the interference with the fundamental rights is no more than is reasonably necessary to achieve the legitimate aim being pursued.

10.4 The choice of the properties to be included in the compulsory purchase order has been carefully considered and refined since the original report in 2004, resulting in a reduction in the number of properties being acquired and demolished. Valuable experience was gained from the works carried out in the Phase 1 scheme as to the type and mix of properties needed to make the area a popular place to live. Where practicable, empty properties have been included in the CPO and the number of owner – occupied
dwellings has been kept to the bare minimum. The proposals have been formulated following extensive public consultation and people living in the area are generally supportive of what is being proposed. Every effort has been made to acquire properties in the CPO on a voluntary acquisition basis and the CPO powers are only being exercised where absolutely necessary.

10.5 If the compulsory purchase order is authorised, owners of the affected buildings/land will receive market value compensation. Qualifying occupiers will be offered suitable rehousing by the City Council or a registered social landlord and will receive Home Loss and Disturbance compensation payments. The City Council would want to help the one displaced owner – occupier who has yet to agree to sell to retain her owner – occupier status by relocating with the use of Relocation Assistance. Every effort has been and will continue to be made to ensure that displaced persons who wish to stay in the immediate area are allowed to do so.

10.6 Having regard to the above, it is considered, on balance, and in the public interest, that the acquisition of the Order Lands by compulsory purchase is the most appropriate way forward. Unification of the ownership of the land will allow the redevelopment proposals by Manchester Methodist HA to proceed for the well being of those persons residing in the Northmoor Road Renewal Area.

11 CONCLUSIONS

11.1 The proposals presented in this report will carry forward a well developed local strategy, which has been consulted on and agreed with local residents, and is designed to:

- reduce the over supply of smaller terraced houses
- increase housing choice in the Area
- provide a more attractive environment and quality open space
- retain existing home owners and attract new owners into the Area

It is considered that the proposals will contribute to the long term sustainability of the renewal area.

11.2 Accordingly, the Executive is requested to approve the recommendations at the front of this report.

Appendices

Appendix 1  City of Manchester (Patey Street Longsight) CPO 2007 map
Appendix 2  Map showing Northmoor Road Renewal Area and the relative positions of the Prout Street CPO Area and the proposed Patey Street CPO Area.
Appendix 3  Map showing City of Manchester (Prout Street Longsight) CPO 2001
Appendix 4  Map showing proposed redevelopment of the land included in the City of Manchester (Patey Street, Longsight) CPO 2007