



Response to Request for Information

Reference FOI 021621
Date 03 February 2016

Compulsory Purchase Order

Request:

I wish to make the following request under the Freedom of Information Act.

I would like to know of all cases in which the council have used either a compulsory purchase order or an enforced sale from January 1st 1995 until current date:

In response to your request, we have established that the Council does not hold the above information as a distinct set able to be retrieved or reported on. Thus we are unable to provide any information relating to the above, and are informing you as required by Section 1(1) of the Freedom of Information Act 2000 ("The Act"), that states:

"Any person making a request for information to a public authority is entitled to be informed in writing by the public authority whether it holds information of the description specified in the request..."

This is because the Council is not required as part of its public task to record a specific list of CPO undertaken.

To undertake this work would exceed the statutory cost limit under Section 12 of the Act.

Section 12 of the Act exempts Public Authorities from providing information where the estimated cost of compliance exceeds the appropriate limit. Any estimate must be undertaken in accordance with the limits set in fees regulations made under Section 12 (5) of the Act.

To clarify further, any information regarding compulsory orders (CPO) would be held at individual file level and the Council have no way of collecting this information, other than to go through all the relevant sealing books and any financial records held since 1995 and to search each individual file.

These Fees Regulations (SI 2004/3244 Freedom of Information and Data Protection (Appropriate Limit and Fees) Regulations) allow for a refusal where the cost of compliance, for local authorities such as the Council, would exceed £450. As a guide, staff time to identify and extract this information is charged at a rate of £25 per hour.

I would like to know the address of the property:

In respect of your question please refer to the Council's response to Question 1.

In respect of Compulsory Purchase Orders sent for Cabinet Approval during the period in question, the Council has prepared an extract of information, referred to in Appendix A.

To clarify, in respect of CPO relating to a single property these are provided in the attachment.

In respect of larger scale CPO and in general the information is not available and the Council's response to Question 1 advises of this.

the last known owner(s):

Information regarding ownership of property in the Wolverhampton area falls under the exemption(s) in Section 21 of the Act, which relates to 'information reasonably accessible to the applicant by other means'.

The exemption applies as the information is published and publicly-available to view by accessing records held for the Wolverhampton area at Her Majesty's Land Registry, who can be contacted at:

<https://www.gov.uk/government/organisations/land-registry>

In respect of information requested from the Council, this should be read in conjunction with the Council's response to Question 1. Further to this, in respect of identities of former owners involved in this process, the Council considers that this meets the definition for personal data set out in Section 1(1) of the Data Protection Act 1998 ("DPA") as:

"data which relate to a living individual who can be identified - (a) from those data, or (b) from those data and other information which is in the possession of, or is likely to come into the possession of, the data controller and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual"

The Council thus considers that the requested information is caught by the exemption to disclosure contained in Section 40 (2) of the Act and the related first condition of Section 40 (3).

To explain further, a disclosure made under the provisions of the Act is judged to be a disclosure to the wider world and here the Council must consider disclosure of personal information in line with the provisions of the DPA.

In this instance it is judged that the personal information relating to former owners is being processed by the Council for the purposes of compulsory purchase and not for any wider disclosure purposes.

[NOT PROTECTIVELY MARKED]

Individuals involved would also have no reasonable expectation that their details would be disclosed to the world-at-large.

Any disclosure of this information would be judged in this instance to breach DPA principles, notably the first principle – that of fair and lawful processing and the second principle-that of processing for specified and not-incompatible purposes. No disclosure would be made in this instance.

and the amount of money paid into court:

As with the Council's response to Questions 1 and 2, regarding the amount of monies paid into Court, the Council does not record the information as a distinct and searchable set in its systems.

CABINET APPROVALS FOR EMPTY PROPERTIES

	ADDRESS	Enforced Sale	Int EDMO	Final EDMO	In Principle CPO	CPO Approval	Notes	Current Position
	137 Aldersley Road				29/11/2005		Owner Refurbishing Slowly	Back in use by owner pre CPO - Closed
	264 All Saints Road					16/10/2012	CPO confirmed, sold at auction await occupation	Acquired via CPO and sold at Auction
	15 Allen Road				09/09/2008		Refurbished by Owner	Back in use by owner pre CPO - Closed
	29 Allen Road				27/10/2009	08/02/2011	Owner has put property on market	Sold by Owner - Back in use
	66 Ashland Street				24/02/2009	16/03/2010	Site Assembly - Repossession Asset Management Negotiating	Acquired by Negotiation - Site Assembly
	68 Ashland Street					30/01/2007	CPO Confirmed - Site Assembly	Acquired via CPO - Site Assembly
	15 Austin Street				08/02/2004		Brought back into use by owner	Back in use by owner pre CPO - Closed
	20 Bamford Road				21/06/2011		Asset Management Negotiating to acquire	Voluntary Sale - New owner refurbishing
	67 Bamford Road				05/06/2007	06/11/2007	Owner Refurbishing Slowly	On Hold - Owner Refurbishing
	66 Beckett Street				15/11/2006	01/04/2008	CPO Confirmed - Sold and refurbished	Acquired via CPO- Back in use
	70 Beckett Street				19/04/2011	13/09/2011	CPO Confirmed - Sold and refurbished	Acquired via CPO- Back in use
	219 Birmingham Road				21/03/2006		Owner Refurbishing Slowly	On Hold - Owner Refurbishing
	473 Birmingham New Road				20/10/2015		Negotiating to Acquire	Negotiating with owner
	14 Braden Road				21/03/2006		Brought back into use by owner	Back in use by owner pre CPO - Closed
	135 Bruford Road				15/11/2006	20/03/2007	Brought back into use by owner	Back in use by owner pre CPO - Closed
	1 Buller Street					15/11/2006	On the Market for sale by owner	Sold by Owner - Back in use
	125 Bushbury Lane				09/09/2009	19/04/2011	CPO with Legal to progress	Back in use by owner pre CPO - Closed
	32 Cadle Road				20/10/2015		Negotiating to Acquire	Negotiating with owner
	171 Caledonia Road				08/04/2014	29/07/2014	CPO Confirmed	Await vesting
	34 Canterbury Road				21/06/2011		CPO confirmed, sold at auction await occupation	Acquired via CPO and sold at Auction
	45 Chelmarsh Avenue				21/06/2011	08/01/2013	CPO confirmed - Possible RTBBB/ Council Housing	Acquired via CPO and sold at Auction
	19 Chester Street				08/02/2004		Section 215 Action/ CPO	CPO Confirmed - Await Vesting
	145 Church Road				26/06/2012	18/12/2012	Statement of Reasons with Legal	Withdrawn from CPO
	56 Church Street					11/09/2013	CPO Confirmed	Awaiting Disposal
	2.5 Clifford Street				20/10/2015		Negotiating to Acquire	Negotiating with owner
	198 Coleman Street				21/03/2006		Sold to Housing Association by owner	Back in use by owner pre CPO - Closed
	11 Court Road				20/10/2015		Negotiating to Acquire	Negotiating with owner
	48 Crathorne Avenue				06/06/2006		Owner Refurbishing Slowly	Back in use by owner pre CPO - Closed
Land Adj	11 Cypruss Street				20/10/2015		Negotiating to Acquire	Negotiating with owner
	72 Deans Road				05/09/2006	01/04/2008	CPO Confirmed - Sold and refurbished	Acquired via CPO- Back in use
	116 Dilloways Lane				15/11/2006		Brought back into use by owner	Back in use by owner pre CPO - Closed
	114 Dixon Street					03/03/2015	CPO on hold	Lender is now repossessing property
	13 Drummond Street				08/02/2004	20/03/2007	Sold privately and brought back into use by new owner	Back in use by owner pre CPO - Closed
	319 Dudley Road				29/03/2011	13/09/2011	CPO Confirmed	CPO confirmed disposal by auction
	13 Dunkley Street				08/02/2004	31/01/2006	Sold privately and brought back into use by new owner	Back in use by owner pre CPO - Closed
	3 Dunstall Avenue					11/09/2012	CPO Unregistered	Withdrawn from CPO - Refurbishment underway
	63 Emerson Road					01/04/2004	Acquired by CPO - site to Housing Association	Acquired via CPO - New Build Units by HA
	103 Fairview Road				06/06/2006		Brought back into use by owner	Back in use by owner pre CPO - Closed
	66 Farrington Road				20/10/2015		Negotiating to Acquire	Negotiating with owner
	15 Filey Road				08/02/2011	21/06/2011	Acquired by Negotiation	Acquired by Negotiation - Await occupation
	42 Finchfield Hill				08/02/2011	21/06/2011	Withdrawn from CPO - Planning Approval for Store extension	Planning Appeal upheld
	93 Goldthorn Hill					27/07/2004	Demolition part complete - Building Control to progress	Demolished by Owner
	146 Goodyear Avenue				29/11/2005		Brought back into use by owner	Back in use by owner pre CPO - Closed
	14 Haden Hill				26/06/2007	29/01/2008	CPO Confirmed - Sold and refurbished	Acquired via CPO- Back in use
	23 Hawksford Crescent				29/11/2005	01/03/2011	Back in use by owner	Back in use by owner pre CPO - Closed
	27 Hawksford Crescent				30/11/2005		Sold by owner and back in use	Back in use by owner pre CPO - Closed
	64 Hawksford Crescent				29/11/2005	20/03/2007	Brought back into use by owner	Back in use by owner Post CPO confirmation
	66 Hawksford Crescent				30/11/2005	21/03/2007	Brought back into use by owner	Back in use by owner Post CPO confirmation
	79 Hawksford Crescent		19/04/2011	25/06/2012			Interim EDMO submitted for approval	Final EDMO - Confirmed

96	Hawksford Crescent	19/04/2011	21/05/2013		Final EDMO in preparation	Final EDMO - Confirmed
106	Hawksford Crescent		01/12/2005		Back in use by owner	Back in use by owner pre CPO - Closed
132	Hawksford Crescent		02/12/2005		Sold by owner and back in use	Back in use by owner pre CPO - Closed
172	Hawksford Crescent		29/11/2005		Back in use by owner	Back in use by owner pre CPO - Closed
176	Hawksford Crescent		29/11/2005		Brought back into use by owner	Back in use by owner pre CPO - Closed
55	Hollybush Lane		29/11/2005		Brought back into use by owner	Back in use by owner pre CPO - Closed
229	Horden Road			26/02/2004	CPO Confirmed - Sold and refurbished	Acquired via CPO- Back in use
34	Hordern Road		18/07/2006	20/03/2007	CPO not Confirmed	CPO not Confirmed - back in Use
68	Hyde Road		30/01/2007		Brought back into use by owner	Back in use by owner pre CPO - Closed
21	Kendrick Road		29/11/2005		Privately sold by owner - Brought back into use by new owner	Back in use by owner pre CPO - Closed
71	Knox Road		30/01/2007		CPO not Confirmed	CPO not Confirmed - back in Use
42	Lawrence Avenue		20/10/2015		Negotiating to Acquire	Negotiating with owner
29	Lime Street	13/10/2014			Owner has now settled debt and property withdrawn from auction	Enforced Sale Abandoned
73	Links Road		27/10/2009	06/07/2010	Auctioned by Owner - Refurb underway	Back in use by owner pre CPO - Closed
8	Mandale Road			26/11/2013	CPO Confirmed	Progressing to auction
23	Meadow Lane	06/07/2010	14/12/2010		Final EDMO made - Refurb complete - awaiting occupation	Final EDMO - Occupied
10	Melverton Avenue			27/07/2004	CPO Confirmed Brought back into use by Council - Social Housing	Acquired via CPO- Back in use
29	Merridale Gardens		08/02/2004	28/02/2006	CPO Confirmed - Sold and refurbished	Acquired via CPO- Back in use
99	Millfields Road			20/10/2015	Statement of Reasons with Legal	SOR with Legal
133	Mount Road		09/12/2014		Owner is now refurbishing	On Hold - Owner Refurbishing
79	Oxbarn Avenue		29/11/2005	27/06/2006	CPO not Confirmed	CPO not Confirmed - back in Use
25	Oxley Moor Road		27/10/2009		Owner Refurbishing	On Hold - Owner Refurbishing
2	Paget Street			15/11/2006	CPO Confirmed - Sold and refurbished	Acquired via CPO- Back in use
136	Probert Road		15/11/2006	20/03/2007	Privately sold by owner - Brought back into use by new owner	Back in use by owner pre CPO - Closed
12	Raynor Road		15/11/2006		Brought back into use by owner	Back in use by owner pre CPO - Closed
14	Selwyn Road		11/09/2012	18/12/2012	CPO Confirmed await vesting	CPO Confirmed - Sold at Auction
100	Shaw Road		30/01/2007		CPO Confirmed - Owner then completed refurb	Back in use by owner Post CPO confirmation
7	St Edmunds		16/10/2012	12/03/2013	CPO Confirmed	Acquired via CPO- Back in use
32	St Judes Road West		29/11/2005		CPO Confirmed - Owner now occupies	Back in use by owner Post CPO confirmation
43	Stratton Street		21/06/2011		CPO Confirmed - New Owner refurbished	Acquired via CPO- Back in use
208	Sweetman Street		27/10/2009		CPO confirmed & awaiting GVD	Acquired via CPO- Back in use
46	The Avenue		29/11/2005		Owner Refurbishing Slowly	Back in use by owner pre CPO - Closed
34	Trysull Road			27/07/2004	Property sold at Auction June 2006 (K Swash) Property Demolished March 2007	Demolished by Owner
4	Veronica Avenue		01/03/2011	21/06/2011	CPO confirmed & awaiting GVD	Acquired via CPO- Back in use
31	Vicarage Road		09/06/2009	05/01/2010	Refurbishment in progress by owner	Acquired via CPO- Back in use
46	Vicarage Road		08/02/2004		Section 79 Building act - Works carried out in default - Possible Enforced Sale	Sold by Owner - Back in use
7	Walace Road		11/09/2013		Back in use by owner	Back in use by owner pre CPO - Closed
4	Wellington Road		27/10/2009		Refurbishment in progress by owner	On Hold - Owner Refurbishing
22	Westbourne Road		31/01/2006		Brought back into use by owner	Back in use by owner pre CPO - Closed
437	Wood End Road			15/11/2006	CPO Confirmed - Sold and refurbished	Acquired via CPO- Back in use
18	Woodland Crescent		24/09/2013		Owner completed works	Refurbished by owner BIU

a) Title of CPO	The Wolverhampton City Council (retail Core Expansion) Compulsory Purchase Order 2006
b) Statutory Power (e.g. Planning or Housing)	Planning
c) The date the CPO was made	25 July 2006
d) i) Was the Order confirmed without modification; confirmed with modification; not confirmed; or withdrawn? ii) When was the Order confirmed, not confirmed or withdrawn (as appropriate)?	Confirmed with modification 1 February 2008
e) i) The date the CPO was implemented and possession of land taken ii) Was the CPO implemented by General Vesting Declaration or Notice to Treat/Notice of Entry or combination of both?	Not implemented
f) The date the Scheme commenced.	Scheme never commenced- CPO lapsed.
g) The date the Scheme completed.	N/A
h) If the Scheme has not commenced, the reasons why.	Lack of funding by developer

NB: "Scheme" means the development or proposed use underlying the need for compulsory acquisition.

Please answer the questions about the Scheme in all instances including where a CPO was withdrawn or not confirmed but acquisition was achieved by agreement.

Approximate dates in response to the questions about the Scheme will suffice.

a) Title of CPO	The Wolverhampton City Council (Bilston Urban Village (No 2) CPO 2013
b) Statutory Power (e.g. Planning or Housing)	Planning
c) The date the CPO was made	5 February 2013
d) i) Was the Order confirmed without modification; confirmed with modification; not confirmed; or withdrawn? ii) When was the Order confirmed, not confirmed or withdrawn (as appropriate)?	Confirmed without modification 28 March 2013
e) i) The date the CPO was implemented and possession of land taken ii) Was the CPO implemented by General Vesting Declaration or Notice to Treat/Notice of Entry or combination of both?	4 September 2013 Both
f) The date the Scheme commenced.	Not known
g) The date the Scheme completed.	Ongoing- Properties to be demolished in October 2015, completion anticipated April 2015
h) If the Scheme has not commenced, the reasons why.	

NB: "Scheme" means the development or proposed use underlying the need for compulsory acquisition.

Please answer the questions about the Scheme in all instances including where a CPO was withdrawn or not confirmed but acquisition was achieved by agreement.

Approximate dates in response to the questions about the Scheme will suffice.

a) Title of CPO	Wolverhampton City Council (Granville Street) Compulsory Purchase Order 2013
b) Statutory Power (e.g. Planning or Housing)	Planning
c) The date the CPO was made	23 rd April 2013
d) i) Was the Order confirmed without modification; confirmed with modification; not confirmed; or withdrawn? ii) When was the Order confirmed, not confirmed or withdrawn (as appropriate)?	Confirmed without modification 4 September 2013
e) i) The date the CPO was implemented and possession of land taken ii) Was the CPO implemented by General Vesting Declaration or Notice to Treat/Notice of Entry or combination of both?	Not known General Vesting Declaration
f) The date the Scheme commenced.	Not known
g) The date the Scheme completed.	On going
h) If the Scheme has not commenced, the reasons why.	

NB: "Scheme" means the development or proposed use underlying the need for compulsory acquisition.

Please answer the questions about the Scheme in all instances including where a CPO was withdrawn or not confirmed but acquisition was achieved by agreement.

Approximate dates in response to the questions about the Scheme will suffice.

a) Title of CPO	Wolverhampton City Council (Wolverhampton Interchange) (Railway Drive to Corn Hill CPO 2002
b) Statutory Power (e.g. Planning or Housing)	Highways Act 1980
c) The date the CPO was made	29 April 2003
d) i) Was the Order confirmed without modification; confirmed with modification; not confirmed; or withdrawn? ii) When was the Order confirmed, not confirmed or withdrawn (as appropriate)?	Confirmed with modification 21 June 2004
e) i) The date the CPO was implemented and possession of land taken ii) Was the CPO implemented by General Vesting Declaration or Notice to Treat/Notice of Entry or combination of both?	Not known General Vesting Declaration 23 February 2006
f) The date the Scheme commenced.	Not known
g) The date the Scheme completed.	Not known
h) If the Scheme has not commenced, the reasons why.	

NB: "Scheme" means the development or proposed use underlying the need for compulsory acquisition.

Please answer the questions about the Scheme in all instances including where a CPO was withdrawn or not confirmed but acquisition was achieved by agreement.

Approximate dates in response to the questions about the Scheme will suffice.

a) Title of CPO	The Wolverhampton City Council All Saints CPO (Alleyway to the rear of Vicarage Road and Raby Street)
b) Statutory Power (e.g. Planning or Housing)	Planning
c) The date the CPO was made	12 November 2013
d) i) Was the Order confirmed without modification; confirmed with modification; not confirmed; or withdrawn? ii) When was the Order confirmed, not confirmed or withdrawn (as appropriate)?	Confirmed without modification 13 March 2014
e) i) The date the CPO was implemented and possession of land taken ii) Was the CPO implemented by General Vesting Declaration or Notice to Treat/Notice of Entry or combination of both?	Not yet implemented General Vesting Declaration
f) The date the Scheme commenced.	The Scheme is ongoing
g) The date the Scheme completed.	Anticipated for April 2015
h) If the Scheme has not commenced, the reasons why.	

NB: "Scheme" means the development or proposed use underlying the need for compulsory acquisition.

Please answer the questions about the Scheme in all instances including where a CPO was withdrawn or not confirmed but acquisition was achieved by agreement.

Approximate dates in response to the questions about the Scheme will suffice.