

**DISPOSAL OF A LISTED PROPERTY IN CHAPELTOWN CONSERVATION AREA:
NO 9 NEWTON GROVE**

Members of Newton Futures have come here today to present issues arising from the disposal of a property in the Chapelton Conservation area.

Background

Newton Futures Residents Group was set up in 1999 to bring local people together to enhance the street environment to remedy acute drug related crime and empty housing. We have worked with the local authority, local council members, and agencies such as Groundwork Trust, CASAC and LATCH. In 2002, Newton Futures won the National Neighbourhood Award (Urban Award) which was presented to members at a ceremony in London.

No 9 Newton Grove is part of a Grade 2 listed terrace in the Chapelton Conservation Area, and consists of a fine house, a coach house, large front garden and rear courtyard. It has stood empty since the late 1990s. In this time, Newton Futures has acted as stewards of the property, clearing the front garden and coach house of rubbish and needles, and with CASAC, gate-ing the coach house to prevent the dumping of vehicles and use as a site for sex workers.

The Council sold No 9 through a closed tender process, which was completed by March 2005. The Sale Documents states that **'refurbishment must be carried out within 6 months of completion'** and that there can be **'no disposition of the estate without a signed certificate by Leeds City Council ensuring that Provision in the Sale Transfer have been complied with'**.

Since the sale in 2005, no work has been undertaken at all by the current owners, Sadiz Mughal and Rukhsana Mughal. The coach house has collapsed and significant damage has been incurred to the roof of neighbouring properties due to the negligent removal of slates by the owners.

After initially rejecting an option to buy the property back, the Council is now considering a buy back, offering the same as the original sale amount within a back-to-back agreement with a local housing association. In parallel though the owner has is now requesting the waiver of the sale conditions and the Council considering this. This would allow the current owner to re-sell the property to the higher bidder without fulfilling the 6 months refurbishment clause.

Newton Futures would want to know on what basis would the conditions be waived? Should this be allowed, what message would this send to unscrupulous landlords?

If it was reasonable to include the 6 month clause in the sale document, then it is reasonable that the LCC acts to enforce it. Surely any waiver would also invalidate the entire bidding process for the property, as it changes the conditions of sale. If the waiver is agreed, we would want to see the bid process opened for scrutiny.

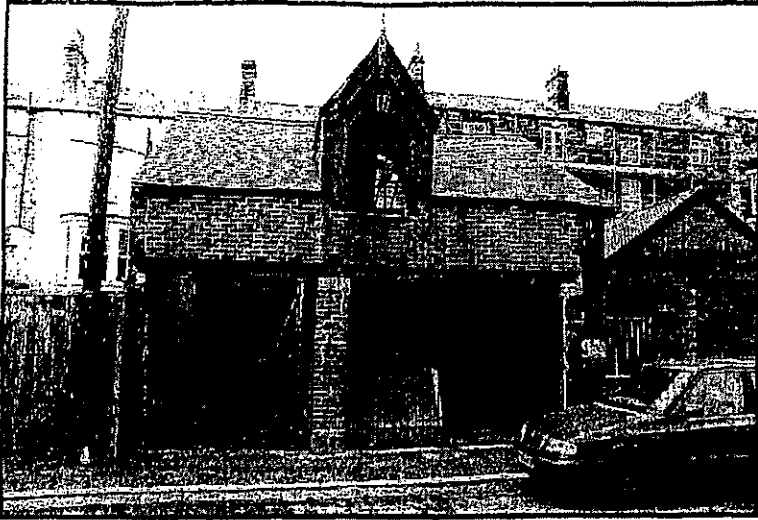
As a Grade II listed building, the coach house has now collapsed and the house is in a critical state of repair. At points in the sale process, it was unclear who even owned the coach house. Its near destruction is due to, a large extent, to the confusion over its ownership and maintenance. There also seems to be a lack of appetite within the council to argue for its restoration.

Newton Futures is lobbying for the rebuilding of this coach house along with the proper level of diligent repair to the house as a listed property, to ensure the conservation of the historic fabric of the area.

An Untidy Land Notice was served by the Planning Dept in Jan 08 and the council are undertaking remedial and demolition works and charging the owner, a discharged bankrupt. How reasonable is this course of action in light of the owner's ability to manage finances in a business like way? The council needs to move quickly and expediently in securing the buy-back to restrict their liability, save public monies as well as to get the property into competent ownership.

Newton Futures are unsatisfied with the LA's handling of the sale process and hesitation in actioning the sale conditions. The local authority has noted the Human Rights of the current negligent owners in their transactions. We would ask you to now consider the human rights of local residents to enjoy our quality of life without battling the crime and dereliction that have resulted from this eye sore property.

So we have come here today to request a **satisfactory outcome for the property to be in safe and responsible ownership within a reasonable timeframe.** We want to see this beautiful building used as it should be as valued accommodation, thus adding to the quality and safety of the neighbourhood whilst preserving its rich urban heritage.



9 Newton Grove;
Coach house 2007



9 Newton Grove;
Coach house 2008



Front roof 9 Newton
Grove; 2007-08

**DEPUTATION TO COUNCIL
CONDITION OF FORMER COUNCIL PROPERTY IN CHAPELTOWN CONSERVATION AREA: 9
NEWTON GROVE**

SUMMARY OF PRESENTATION

Newton Futures Residents Group in attendance; Sue Ball (Chair), Anthony Gumbs (Company Secretary), and Garry Barker (Resident)

BACKGROUND

- Newton Futures set up in 1999 to deliver environmental improvements to reduce acute crime, worked with the local authority, Groundwork Trust, CASAC and LATCH
- Newton Futures won the National Neighbourhood Award (Urban Award) in 2002
- Grade 2 listed terrace in the Chapeltown Conservation Area; house, coach house, long front garden and rear enclosed courtyard, empty since the late 1990s
- Newton Futures as stewards and caretakers of the property.

SALE PROCESS

- closed tender process completed March 2005, after 12 months of negotiation
- Special Notice that 'refurbishment must be carried out within 6 months of completion' and 'no disposition of the estate without a signed certificate by Leeds City Council ensuring that Provision in the Transfer have been complied with'
- no work at all has been undertaken by owners, Sadiz Mughal and Rukhsana Mughal
- coach house collapsed & significant damage due to negligent removal of roof slates
- LCC considering waiver of sale condition, allowing owner to dispose to highest bidder without compliance
- LCC now considering 'back-to-back' buy back option.

ISSUES ARISING

1) Waiver to allow disposal without compliance of sale requirements

- what message would this send to unscrupulous landlords?
- on what basis would the conditions be waived?
- invalidation of entire bidding process as it changes the conditions of sale
- if reasonable to include in the sale document, then reasonable for LCC to enforce
- the bid process should be opened for scrutiny

2) Listed Building status

- listed coach house collapsed, house is in a critical state of repair
- lack of clarity on ownership of the coach house has been a key factor in its collapse
- NF now lobbying for coach house rebuild and diligent repair to this listed property

3) Statutory Human Rights of local residents

- negative impact on residents' human rights to enjoy surroundings and property
- quantifiable damage to the adjoining rooves

4) Current actions by LCC

- through use of planning instrument, LCC undertaking remedial works to the roof and structured demolition of coach house whilst charging the owner
- owner is discharged bankrupt
- how reasonable is this course of action in light of owner's ability to manage finances?
- need to move quickly to buy back to contain liability.

REQUEST

- unsatisfied with LA's handling of the process and delay in actioning sale conditions
- deep dismay at waivering of sale condition allowing disposal of property without compliance
- Newton Futures requests that this listed **property to be in safe ownership within a reasonable timeframe**, benefiting future occupiers, safety of the neighbourhood and maintaining the city's urban heritage.

Sale Process of No 9 Newton Grove
Timeline showing Newton Futures and Leeds City Council actions arising
March 03 to now

LEEDS CITY COUNCIL ACTIONS

1999 No 9 Newton Grove last occupied

11 03 04 Sale of No. 9 by closed tender

31 03 05 Sale of No. 9 completed

16 01 06 LCC 'Owner says he will start work immediately after Christmas'

7 04 06 LCC 'Owner will begin work soon'

21 07 06 LCC 'Owner expects to have scaffolding in place next week'

19 06 07 LCC explore options. No budget to fund buy-back option

19 7 07 LCC met with Owner - may serve Untidy Land Notice and instigate a buy back

12 09 07 LCC in contact with Owner regarding non compliance of sale conditions

21 12 07 LCC approves buy back subject to back to back option

21 01 08 Untidy Land Notice served

16 04 08 Owner receives transfer document after initially agreeing to LCC buy back

No response from Owner. LCC receive a request instead to sell the property onto a new buyer who will offer substantially more than the original sale price, negotiated by LCC

4 06 08 LCC indicate they will not buy back and are considering waivering conditions of sale

18 06 08 LCC agree to buy back with back to back LCC considering allowing waiver of sale conditions to facilitate owner to sell without undertaking any work to the property

NEWTON FUTURES (NF) ACTIONS

1999 Newton Futures Residents Group formed to combat local drug related crime and degradation of the street

2002 National Neighbourhood Award (Urban Award) for environmental responses to crime prevention. Presentation at the Tower of London

6 11 05 NF contacts Cllr and MP in relation to lack of work on no. 9 Newton Grove

4 04 06 NF meeting report 'still no action as to repairs on no. 9 Newton Grove'

9 05 06 North East Housing 'continuing inoccupation and lack of upkeep of no. 9'

8 09 06 Fabian Hamilton MP 'listed coach house is now in danger of collapse if nothing is done about it'

On-going correspondence and meetings by NF pushing for some action from LCC to enforce the Special Notice requirements; no works undertaken by the Owner

Squatters move in to No 9 during the summer of 2006

June/July Roof of the main house taken off in an illegal attempt to remove squatters

Nov Squatters evicted

Through NF, Leeds and Yorkshire Housing Association brought to the table and agree, in principle, to a back-to-back purchase

LATCH, the self help housing agency, successful in raising £500,000 to refurbish the old coach house outbuilding No 12 Newton Grove

6 05 08 No 9 listed coach house collapses through neglect. NF argues for its re-instatement to sustain the historic character of the area; YEP reports 'Listed Building in need of a lift'.

2 07 08 Deputation to Council, Leeds City Council

2004

2005

2006

2007

2008