

**THE BRIDGEND COUNTY BOROUGH COUNCIL  
(ACQUISITION OF 44 NEATH ROAD, MAESTEG)  
COMPULSORY PURCHASE ORDER 2025**

**STATEMENT OF REASONS**

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# **THE BRIDGEND COUNTY BOROUGH COUNCIL (ACQUISITION OF 44 NEATH ROAD, MAESTEG) COMPULSORY PURCHASE ORDER 2025**

## **STATEMENT OF REASONS IN SUPPORT OF THE ORDER**

### **1.0 Introduction**

- 1.1 This document is the Statement of Reasons of Bridgend County Borough Council (“the Authority”) for the making of a compulsory purchase order entitled The Bridgend County Borough Council (Acquisition of 44 Neath Road, Maesteg) Compulsory Purchase Order 2025 (“the Order”).
- 1.2 On 22<sup>nd</sup> July 2025 the Authority resolved to make the Order following an earlier in-principle resolution on 10<sup>th</sup> December 2024 to progress the making of the Order. Please refer to **CD/04** and **CD/05**. The Order has been made under Section 17 of the Housing Act 1985 and in accordance with the Acquisition of Land Act 1981 (see **CD/01**).
- 1.3 This Statement of Reasons is a non-statutory document prepared in accordance with Welsh Government Circular 003/2019 Compulsory Purchase in Wales and The Crichel Down Rules (“the Circular”).
- 1.4 It is intended to be sent to every person who must be served notice of the making of the Order (known as “qualifying persons”). Qualifying persons include:
  - an owner;
  - an occupier;
  - a tenant (whatever the period of the tenancy);
  - a person to whom the Authority would be required to give Notice to Treat if it was proceeding under section 5(1) of the Compulsory Purchase Act 1965 Act (“the 1965 Act”);
  - a person the Authority thinks is likely to be entitled to make a claim for compensation under section 10 of the 1965 Act (compensation for injurious affection), for example someone with rights over land, if the Order is confirmed and the compulsory purchase takes place, so far as

they are known to the Authority after making diligent inquiry. This relates mainly, but not exclusively, to easements and restrictive covenants.

- 1.5 The general public has also been notified of the making of the Order through newspaper notices and site notices.
- 1.6 This Statement of Reasons is intended to be as comprehensive as possible to allow the Authority to use it as the basis of its Statement of Case which is required to be served under Rules 8 and 9 of the Compulsory Purchase (Inquiries Procedure) (Wales) Rules 2010 in the event that the Welsh Ministers decide that a public inquiry is to be held.
- 1.7 The document references used throughout this Statement of Reasons refer to the supporting documents listed in Section 13 of this Statement.

## **2.0 Description of the Property**

- 2.1 The property at 44 Neath Road, Maesteg, CF34 9EE (“the Property”) is a residential property which has been empty since 1992. It is located within the Maesteg Conservation Area which was designated by Bridgend County Borough Council on 22 February 2001. Conservation Areas are designated under the Historic Environment (Wales) Act 2023 (which superseded the Planning (Listed Buildings and Conservation Areas) Act 1990 in Wales). A conservation area is an area of special architectural or historic interest, the character or appearance of which it is desirable to preserve or enhance. The Property is situated alongside a main road and is a short walk into Maesteg town centre.
- 2.2 The Property is a large semi-detached house built approximately 1910. It is accessed via a small number of steps at the front of the Property. The house is constructed of traditional brick and stone. The front elevation of the Property is facing brick whilst the side and rear elevations are rendered. At the rear there is a two-storey annex and a single storey addition, these are also finished in render. At the front is a two-storey bay constructed of bath stone. There is also a bath stone arch over the front door. The external joinery, for example the fascias and soffits, are timber and the rainwater goods are old cast iron. The pitched roof is of timber construction with a slate roof covering. The windows

and doors are timber framed but almost all of these have been secured using boards or blocks.

- 2.3 The Property consists of two storeys. On the ground floor there is an entrance lobby and a hallway with stairs leading to the first floor. Off the hallway to the left-hand side is the front and rear reception rooms. A third reception room is located at the end of the hallway. Located off the third reception room to the rear is the kitchen which is housed in the single storey addition. A door from the kitchen leads to the rear garden but this is currently boarded up.
- 2.4 On the first floor of the Property there is a large front and rear left bedroom. A third bedroom is located at the rear of the Property along with a self-contained bathroom. There is access to a loft space from the landing.
- 2.5 The walls and ceilings are of lath and plaster construction and generally in poor condition. The floors are suspended timber and are also in poor condition. There is evidence of a heating system throughout the Property however it is not in working order. The location of the boiler is unknown. There are open fireplaces in some of the ground and first floor rooms. The electrical installation is aged and in need of repair and modernisation.
- 2.6 There is a garden at the front and rear of the Property. There is also a section of land which previously housed a garage to the rear of the Property, but this was demolished by the owner of the Property in 2017, after the Authority obtained a Court Order under Section 77 of the Building Act 1984 requiring the Owner to remove the danger to the public resulting from the condition of the garage.
- 2.7 The location of the Property can be found on the Order Map. Please refer to **CD/02** in the supporting documents.
- 2.8 The Property is in a very poor state of repair and requires significant repairs and modernisation to bring it back into habitable condition. **CD/18** contains a structural report provided by the Authority's Structural Engineer dated 10<sup>th</sup> May 2022. A summary to highlight some of the main concerns is below in section 2.9, however reference should be made to the full report. A recent external

survey on 14<sup>th</sup> May 2025 has confirmed the Property has deteriorated further. **CD/19** contains the updated report.

2.9 To summarise the main points of the structural report, there are several serious defects that may affect the overall stability of the Property.

2.9.1 There is evidence of settlement to the front side wall causing severe cracking to both internal and external walls. It is noted that the presence of the horse chestnut tree on the neighbouring property at 43b Neath Road also known as 'Wen Lon' may have affected the Property foundations. However, the cause of settlement is not clear and cannot be determined without invasive ground investigations. There is also evidence that the front bay window has dropped and may be coming away from the Property at first floor level.

2.9.2 There is evidence of rotting and unsupported floor joists and this has caused movement in the first-floor walls in several locations.

2.9.3 Most of the window and door openings have been boarded up. Many of the window frames are severely rotted and some have fallen into the Property. The timber elements of a rear bay window at ground floor level have severely rotted and the roof has collapsed.

2.9.4 There are missing and loose sections of render to the external walls. Internally there is a significant amount of water penetration affecting the internal finishes.

2.9.5 Overall the roof appears to be in good condition however some areas of deterioration were noted. The lean-to roof at the rear of the Property appears to be dropping and internally the roof timbers can be seen to be in a very poor condition.

2.10 There is no Tree Preservation Order ('TPO') located within the curtilage of the Property. However, a search identified one TPO (a horse chestnut) located in the front garden of the neighbouring property at No. **43b** Neath Road (named "Wen Lon" in the TPO Schedule), close to the boundary with No.44 Neath Road. It is understood that this tree is damaging the boundary wall located

between 44 Neath Road and 43b Neath Road. This is detailed in the Structural Reports included in the supporting documents as **CD/18** and **CD/19**.

### **3.0 Ownership of the Property**

- 3.1 Title to the Property is unregistered. This means that ownership details of the Property have not been registered with the Land Registry. The ownership details are only documented in the title deeds and these deeds are not available to the Authority. However, an investigation of the evidence by Officers of the Authority has identified the owner of the Property.
- 3.2 On 6<sup>th</sup> December 2016 a Planning Contravention Notice ("PCN") was served under Section 171C of the Town and Country Planning Act 1990 (as amended). The PCN was addressed to Mr. R. Davies of 9 Newbridge Gardens, Bridgend, whom the Authority believed to be the owner of the Property. This required Mr. Davies to provide written information about the nature of his interest in the Property and his intentions for maintenance and future use of the Property. Mr. Davies failed to provide the information requested and the matter was taken to the Magistrates Court. On 26<sup>th</sup> June 2018, whilst attending the court hearing, Mr. Davies completed the PCN in front of Officers and the Magistrate. Mr. Davies confirmed in writing that he is the owner of the Property and provided his full name as Mr. Robert Randal Davies. He further stated that the Property had been empty since his uncle had passed away in 1992. The PCN is included in the supporting documents as **CD/08**.
- 3.3 Officers have made enquiries and ascertained that Mr. Robert Randal Davies is named on the council tax records as the person liable for council tax payable in respect of the Property. Please see **CD/07**.
- 3.4 Officers have obtained a copy of the Last Will and Testament of Arthur Cyril Davies. A copy of the Grant of Probate has also been obtained. The Grant of Probate states that Mr Arthur Cyril Davies passed away on 10<sup>th</sup> January 1992. The Last Will and Testament of Arthur Cyril Davies identifies Mr. Robert Randal Davies as his nephew. It names Mr Robert Randal Davies of 9 Newbridge Gardens as one of the Executors and Trustees of the Will. It also names Ceri Huw Morgan of Lloyds Bank Chambers, 18 Talbot Street, Maesteg as an Executor and Trustee of the Will. Robert Randal Davies is named as the

main beneficiary of the Estate. The last Will and Testament / Grant of Probate is included in the supporting documents as **CD/09**.

- 3.5 In November 2021, the Authority served a Notice under Section 235 of the Housing Act 2004 formally requesting documentation relating to the ownership of the Property, after earlier informal requests from the Authority were not responded to. Despite a written reminder, no response or documentation was provided to the Authority by Mr. Davies.
- 3.6 On 2<sup>nd</sup> March 2022, Officers wrote to the solicitors firm who had previously acted as executors of the Estate to ask for information about the Property. Mr. Morgan responded stating that the Property was transferred by the Estate in 1993 and he had not had any further involvement with the Property. He further stated that he was unable to provide details of whom the Property was transferred to and he was unable to provide copies of any documentation.
- 3.7 Following a response from the solicitors firm, in November 2022, the Authority served a Notice on them under Section 235 of the Housing Act 2004 formally requesting copies of documentation comprising the deeds, epitome of title, conveyance of title document or other relevant documents relating to ownership of or financial interest in the Property. Unfortunately, due to ill health the solicitors firm ceased business and no response was received.
- 3.8 A further Notice dated 23<sup>rd</sup> November 2022 was served on Mr. Robert Randal Davies under Section 235 of the Housing Act 2004. This Notice requested the same documentation detailed above. A reminder letter was hand delivered to Mr. Davies on 21<sup>st</sup> December 2022 – whilst hand delivering this letter, Officers were told by Mr Davies that he had responded to the original Section 235 Notice, however the Authority has no record of ever receiving such response. Therefore, given his failure to provide a response to the Notice, Mr. Davies was subsequently prosecuted and found guilty of this offence on 9<sup>th</sup> January 2024.
- 3.9 An official search of the Land Charges Register maintained by HM Land Registry was completed in March 2022 (see **CD/14**) and again on 16 July 2024 (see **CD/15**) which confirmed that there are no land charges against the property. A search of the Local Land Charges Register (LLC1) was completed

by the Authority on 31 July 2024 (see **CD/16**) which confirmed that there are local land charges against the Property under the Prevention of Damage by Pests Act 1949 and the Town and Country Planning Act 1990. A further official Land Charges search was completed on 15 September 2025 prior to the making of the Order, which confirmed there are no subsisting entries (see **CD/17**).

- 3.10 The Authority had undertaken enquiries and is not aware of any third party interests in the Property.

#### **4.0 The Council's Purpose in acquiring the Property**

- 4.1 Section 17 of the Housing Act 1985 gives local authorities the power to:

- (a) acquire land as a site for the erection of houses,
- (b) acquire houses, or buildings which may be made suitable as houses, together with any land occupied with the houses or buildings,
- (c) acquire land proposed to be used for any purpose authorised by sections 11, 12 and 15 (1) (facilities provided in connection with housing accommodation), and
- (d) acquire land in order to carry out on it works for the purpose of, or connected with, the alteration, enlarging, repair or improvement of an adjoining house.

- 4.2 The Authority seeks to acquire the Property compulsorily pursuant to Section 17(1)(b) of the Housing Act 1985 to make the Property suitable for occupation.

- 4.3 An Order under the Housing Act 1985 is required to conform with the requirements and procedures set out in:

- a. the Acquisition of Land Act 1981.
- b. the Compulsory Purchase of Land (Prescribed Forms) (National Assembly for Wales) Regulations 2004.
- c. the Compulsory Purchase (Inquiries Procedure) (Wales) Rules 2010 (*if applicable*)

- d. the Compulsory Purchase of Land (Written Representations Procedure) (National Assembly for Wales) Regulations 2004 (*if applicable*)

- 4.4 The Authority recognises that a compulsory purchase order can only be made if there is a compelling case in the public interest and acquisition of the Property would achieve either a quantitative or qualitative housing gain. The Authority considers that a compelling case exists in relation to the Property.
- 4.5 Due to the length of time the Property has been vacant, the lack of engagement from the owner following informal and formal intervention by the Authority, the lack of positive action taken by the owner to improve the condition of the Property and/or to bring it back into use, the Authority is satisfied that there is at present no real prospect that the Property will be brought back into use within a reasonable timeframe, if at all.
- 4.6 On 8<sup>th</sup> February 2023 and 7<sup>th</sup> February 2024, the Authority wrote to the Owner with an offer to acquire the Property by voluntary agreement. The Owner did not respond and no attempt has been made to engage in a voluntary sale. A further letter was sent to the Owner on 16<sup>th</sup> January 2025 to inform him of the recent Cabinet approval to commence the compulsory purchase process. This letter provided a further opportunity to consider selling the Property to the Authority by voluntary agreement. No response has been received to date. The Authority is therefore satisfied that a compulsory purchase order is justified as a means of last resort and is the only method available to ensure that the Property is improved and returned to occupation.
- 4.7 The Authority intends to use this power to bring this long-term vacant Property back into beneficial use. The Property will provide accommodation for at least one household and will help to address the housing need in the Borough. Section 6 below contains further information regarding the housing need in the area.
- 4.8 There are no new rights being created.

- 4.9 The land subject to the Order is the minimum required for the scheme, as the acquisition of the Property as a whole is required in order to bring the Property back into beneficial use as suitable housing.

## **5.0 Proposals for the Property**

- 5.1 The Authority's involvement with the Property is extensive and due to the condition of the Property and its continuing decline, the Authority considers the acquisition of the Property to be essential in its restoration and bringing back into much needed housing accommodation. The Authority does not believe the Owner will take the necessary steps to bring the Property back into beneficial use within a reasonable timescale, if at all.
- 5.2 Once the Order has been made by the Authority it will, if confirmed by the Welsh Ministers, enable the Authority to take legal title to the Property. Once the Authority has acquired the Property, it will dispose of the Property through auction as this is considered the most efficient method of disposal. The Authority will obtain several quotations and will appoint the most suitable auctioneer based on price and quality of service.
- 5.3 As the Property will be sold at auction it will not be possible to identify a prospective purchaser at the time the Order is made. However, the Authority will ensure that controls are put in place to ensure work is undertaken to improve the condition of the Property so that it can provide suitable housing accommodation in the area within a reasonable timeframe. The purchaser will be required to enter into a legal agreement containing work obligations, and will be legally required to undertake the work and bring the Property back into habitable condition within 18 months of the completion date. An indicative schedule of work is included at **CD/20**.
- 5.4 The Authority do not foresee any obstacles for the delivery of this project. The Authority has considered the statutory requirements and consents that are needed for the Property to be renovated and brought back into use and these are detailed in the section 10 of this report.
- 5.5 On 10 December 2024, Cabinet approved an in-principle decision to commence the compulsory purchase process under Section 17 of the Housing Act 1985 to compulsorily purchase the Property. See **CD/04** to view the minute

of this decision. On 22 July 2025 Cabinet approved the decision to make the Order and take all necessary steps to secure the confirmation of the Order by the Welsh Ministers, together with continuing negotiations with the owner of the Property in parallel (see **CD/05**).

## **6.0 Housing Need**

- 6.1 Bridgend County Borough in the south-east of Wales, stretches from the mining valleys of Llynfi, Garw and Ogmore in the north to an extensive coastline in the south. The largest town is Bridgend, followed by Maesteg and the seaside town of Porthcawl. The population has risen rapidly over the last twenty years. The 2021 census shows an increase of 4.5%, from around 139,200 in 2011 to 145,500 in 2021. This is much higher than the overall increase for Wales (1.4%), where the population grew by 44,000 to 3,107,500 during the same time period (Local Housing Market Assessment 2024).
- 6.2 Across local authorities in Wales, Bridgend is the third highest for population growth in Wales and 8<sup>th</sup> for total population out of 22 local authority areas in Wales, having moved up one place in a decade (Bridgend County Borough Council's Housing Prospectus; 2023).
- 6.3 The 2021 Census provides a household estimate (a household being defined as having at least one usual resident). The number of households across Wales increased from 1,302,676 in 2011 to 1,347,100 in 2021; a 3.4% increase. Bridgend witnessed high proportionate household growth, with households increasing from 58,515 in 2011 to 62,360 in 2021; a 6.6% increase (Local Housing Market Assessment 2024).
- 6.4 The 2021 Census also provides an analysis of households by tenure. Owner occupation was by far the most common tenure within the county borough, accounting for 71% of all households; 38% of which owned their property outright and 33% owned their property through a mortgage or loan. Over 15% of all households resided within the private rented sector and a slightly smaller proportion of households (just under 14%) indicated that they live within the social rented sector (Local Housing Market Assessment 2024).

- 6.5 Evidence presented in the Local Housing Market Assessment (2024) suggests that three-bedroom properties are popular across a range of housing tenures. Local house builders reported that three-bedroom semi-detached market was one of the strongest in the new build sector and most households typically rented three bedroom dwellings in the majority of the private rented markets, particularly in Valleys housing market areas.
- 6.6 In September 2003 the Authority transferred all its housing stock to Valleys to Coast Housing Association and is therefore no longer a social housing landlord.
- 6.7 The Authority's main social housing providers use one housing register to allocate social housing. This register is called the Bridgend Common Housing Register. Households on the Common Housing Register are those in housing need. 'Housing need' and 'demand' is defined as "the quantity of affordable housing needed" and 'demand' as "the quantity of housing that households are willing and able to buy or access at market rent (Undertaking Local Housing Market Assessments Guidance; 2002)". In summary, it is the number of homes needed to help those living in unsatisfactory housing circumstances (i.e. homelessness, overcrowding, or other specific housing requirements) as well as the general growth of new households, locally.
- 6.8 As of 3<sup>rd</sup> November 2024, there were 3088 households on the Common Housing Register. Of those 3088 households, 113 households have been deemed to have a critical need to move to more suitable accommodation and 1215 households are deemed to have an urgent need to move to more suitable accommodation. There are 37 households registered for a three bedroom property in Maesteg and 25 households registered for a four bedroom property in Maesteg. In the neighbouring area of Llangynwyd there are 34 households registered for three bedroom accommodation and 31 registered for four bedroom accommodation. Since November 2023, in Maesteg there have been 10 three bedroom properties allocated through the register and 0 four bedroom properties. In Llangynwyd there have been 3 three bedroom properties allocated and 0 four bedroom properties allocated.

- 6.9 There are 430 households with a final homeless duty and 325 households undergoing homeless investigations. The average waiting time for social housing is 589 days.
- 6.10 As of 8<sup>th</sup> October 2024, the total number of substandard dwellings in the Borough is 275. These are properties that have been identified as having at least one category 1 hazard present, as defined in Section 2 of the Housing Act 2004.
- 6.11 On 1<sup>st</sup> April 2024, there were 961 properties in the Borough that had been empty for a period of at least 6 months and 665 properties that had vacant for a period of at least 12 months.
- 6.12 In summary, there is a vast number of long-term empty properties across the borough at a time where more than 3000 households are on a waiting list to be allocated suitable housing accommodation. More than a third of these households are deemed as being in critical or urgent need of moving to suitable accommodation. The Property is a sought-after property with it being a semi-detached three-bedroom house located in a prime town centre position in the second largest town of the Borough. The Property could provide suitable housing for one of the 37 households currently awaiting accommodation in the Maesteg area or indeed one of the 35 households awaiting housing in the neighbouring ward Llangynwydd, thus supporting the compulsory purchase of the Property.
- 6.13 The housing policy documents referred to in this section can be found in the supporting documents as **CD/24**, **CD/25** and **CD/26**.

## **7.0 Engagement with affected parties**

- 7.1 The Authority has written to the owner of the Property on many occasions to express concern over the condition of the Property. This has been as a direct result of receiving complaints from other public bodies or the general public but also on a proactive basis in line with Authority's Empty Property Strategy. **CD/10** contains a schedule of complaints received from members of the public. **CD/11** contains a schedule of written and verbal correspondence with the owner in connection with the Property.

7.2 A significant proportion of the correspondence sent to the owner over the last 7 years, especially those dating from the introduction of the Empty Property Strategy in 2019, informed the Owner of the many options available to bring the Property back into beneficial use. The owner has been sent an empty homes information booklet outlining the assistance available to empty property owners and has been given a link to the Authority's empty property web page. The owner has been informed of the following available options:

**7.2.1 Disposal** – Information has been provided about the sale of the Property via estate agents or auction companies. The Authority has offered to meet agents at the Property to arrange valuations and viewings to support the sale of the Property. The Authority has advised the Owner of its list of developers who wish to purchase empty properties and also forwarded the details of persons who have contacted the Authority directly to express an interest in buying the Property.

**7.2.2 Acquisition by agreement** – The Authority has written to the Owner on three occasions to offer to purchase the Property directly. As outlined in paragraph 4.5 above, the Authority wrote to the Owner on 8<sup>th</sup> February 2023 and 7<sup>th</sup> February 2024, with an offer to acquire the Property by voluntary agreement. The Owner did not respond, and no attempt has been made to engage in a voluntary sale. A further letter was sent to the Owner on 16<sup>th</sup> January 2025 to inform him of the recent cabinet approval to commence the compulsory purchase process. This letter provided a further opportunity to consider selling the Property to the Authority by voluntary agreement. No response has been received to date.

**7.2.3 Introduction to Local Registered Social Landlord's** – The Owner has been given the details of a local RSL interested in purchasing empty properties and another RSL's offering an empty property leasing scheme.

- 7.2.4 Improvement to the Property** – The owner has been supplied with information about the Authority's Empty Property Grant and interest free loan schemes.
- 7.2.5 VAT Relief** – Information has been provided detailing VAT and TAX advice available to long term empty properties.
- 7.3 Due to the poor and deteriorating condition of the Property, a significant number of enforcement Notices have been served on the Owner by the Authority's Environmental Health, Planning and Building Control departments.
- 7.4 Work in default has been undertaken on nine occasions following non-compliance with statutory Notices. Officers have pursued multiple outstanding debts associated with the Property because of undertaking work in default. Most debts have now been recovered following county court judgements and high court enforcement. However, one invoice remains outstanding.
- 7.5 The owner has also been successfully prosecuted on three occasions in connection with the Property for failing to comply with Statutory Notices.
- 7.6 **CD/12** contains a schedule of Statutory Notices served on the Owner between 2016 and the current date.
- 7.7 The Property continues to deteriorate in condition and is considered detrimental to the amenity of the neighbourhood. On 28<sup>th</sup> April 2021 a Notice was served under Section 215 of the Town and Country Planning Act 1990 (as amended). This required the owner to undertake external improvements to address the visual impact of the Property on the street scene. The Notice remains outstanding and no attempts have been made by the Owner to comply with the requirements of the Notice. The Notice is included in the core documents as **CD/13**.
- 7.8 On 8 February 2023, the Authority wrote to the Owner to advise that due to the lack of engagement and absence of positive steps to bring the Property back into beneficial use, the Authority intended to initiate steps to compulsorily purchase the Property. The Authority further advised the Owner that it would

prefer to acquire the Property by agreement and invited the Owner to attend an initial meeting to discuss the Property and its potential sale by agreement. No response was received to this letter.

- 7.9 On 7 February 2024, a further letter was sent to the Owner to advise of the compulsory purchase procedure and once again offering to purchase the Property by agreement. Again, no response was received to this letter.
- 7.10 To date, the only work carried out on the Property by the Owner was in 2017. This involved the demolition of the rear garage after the Authority obtained a Court Order under Section 77 of the Building Act 1984 requiring him to remove the danger to the public resulting from the condition of the garage. No other work has been carried out by the owner to improve its condition or contribute towards the re-use of the Property for housing purposes.

## **8.0 Justification for making a Compulsory Purchase Order**

- 8.1 The Authority's Empty Property Strategy sets out the Authority's proposals for bringing empty properties back into beneficial use. The Strategy is included in the supporting documents as **CD/23**. The main focus of the Strategy is to reduce the number of empty private sector residential properties across the Borough and to help to increase the availability of housing for sale or for rent. It further seeks to improve neighbourhoods where a property is having a negative impact on the community as a result of its deteriorating condition, its visual impact on the street scene or due to it causing antisocial behaviour or a nuisance to the public.
- 8.2 The Strategy outlines the options available to the Authority for securing occupation of long-term empty properties in the Borough. One of these options, to be used as a last resort, is to use a compulsory purchase order.
- 8.3 In accordance with the requirements of the Strategy, empty properties are assessed against set criteria to determine the level of priority that the local authority will give to actively pursue re-occupation. The criteria include the following:
- The length of time the Property has been vacant

- The condition of the Property
- The appearance of the Property
- Is the Property causing a nuisance to neighbouring properties?
- Is the Property in a dangerous condition?
- The social impact of the Property
- The number of complaints received

8.4 A score is given against each of the criteria and the sum of these scores reflects the category of the empty property. Enforcement action is focused on the top 20 empty properties.

8.5 The Strategy is currently being reviewed and, following public consultation on the proposed updated Strategy, it is intended to present the updated Strategy to Cabinet for endorsement, in due course. The Order is proceeding under the existing Strategy (2019 – 2023), in the context of the emerging updated Strategy.

8.6 The Property has been empty for at least 32 years. It is a priority empty property under the Empty Property Strategy and is currently number 1 on the list of properties that have been risk assessed. The reason for this outcome is because it has been empty for a significant period of time, it is located on the outskirts of the town centre and falls within a conservation area. It has been the source of many complaints due to its poor, deteriorating condition and visual appearance.

8.6 The Property has been the subject of many complaints over the years as a direct result of it being empty. Complaints have been received regarding a dangerous structure, the presence of vermin, unauthorised entry, water ingress into the neighbouring property and its poor visual appearance having a negative impact on the community. The extensive involvement by the Authority to address the ongoing issues of disrepair and anti-social behaviour associated with the Property has been highlighted in this Statement of Reasons. The nature of the complaints and statutory notices served in relation to the Property have been discussed in Section 7 above and detailed in **CD/10** and **CD/12** respectively. Furthermore, the vast amount of attempted contact and negotiations with the Owner to improve the condition of the Property and to

bring the Property back into occupation has been demonstrated above and supports the need for the Authority to compulsorily purchase the Property.

- 8.7 The condition of the Property places a financial burden on the Authority and is resource intensive. The Property is unsuitable for occupation in its current condition and continues to deteriorate due to the lack of maintenance by the owner. The condition of the Property is an ongoing problem for both the Authority and the local community, and prevents the Property being used as much needed housing.
- 8.8 The Property is located on the outskirts of Maesteg town centre. According to data provided by South Wales Police, there were 304 antisocial behaviour occurrences in the Maesteg West area between 1<sup>st</sup> January 2022 and 19<sup>th</sup> February 2025. In 2024 alone, there were 85 occurrences of anti-social behaviour in the area.
- 8.9 Since 2018, South Wales Police have received six complaints relating to the Property. All six complaints relate to youths gaining unauthorised entry into the Property and raise concerns for their safety due to the condition of the Property.

## **9.0 Human Rights Considerations**

- 9.1 The Authority has taken into consideration the Convention of Human Rights as incorporated into United Kingdom law by the Human Rights Act 1998. In particular, consideration has been given to the provisions of Articles 1 and 8 of the First Protocol to the European Convention on Human Rights. The Authority considers that there is a compelling public need for acquisition, which outweighs private land interests.
- 9.2 Section 6 of the Human Rights Act 1998 prohibits public authorities from acting in a way which is incompatible with the Convention. Various Convention rights may be engaged in the process of making and considering a Compulsory Purchase Order, notably Article 1 protects the right of everyone to the peaceful enjoyment of possessions. No-one can be deprived of possessions except in the public interest and subject to the conditions provided for by law and by the

general principles of international law. Article 8 provides a right to respect to one's private and family life and home.

- 9.3 The European Court of Human Rights has recognised in the context of Article 1 that regard must be had to the fair balance which has to be struck between the competing interests of the individual and of the community as a whole. Similarly, any interference with Article 8 rights must be necessary for the reasons set out. Both public and private interests are to be taken into account in the exercise of the Authority's powers and duties. Any interference with Convention Rights must be necessary and proportionate.
- 9.4 In considering whether to make the Order, the Council has carefully considered the balance to be struck between individual rights and the wider public interest. Any interference with Convention rights is considered to be justified in order to secure the benefits of bringing the Property back into beneficial use. Appropriate compensation will be available to the owner of the Property under the relevant statutory provisions.
- 9.5 Having regard to the provisions of the Housing Act 1985 and Welsh Government Circular Ref: 003/2019 Compulsory Purchase in Wales and 'The Crichel Down Rules (Wales Version 2020)', and the lack of engagement from the owner of the Property over a significant period of time, it is considered that there is a compelling case in the public interest for making the Order. Furthermore, it is considered that the Order, if confirmed, would strike an appropriate balance between public and private interests, and that any interference with individual rights is necessary and proportionate in the circumstances.
- 9.6 The Property is a residential property which has been unoccupied for approximately 32 years. Attempts to voluntarily acquire the Property have been made, without success to date, and negotiations will continue whilst the process for confirmation of the Order progresses. It is considered in this case that the purchase of the Property can be addressed through the provision of compensation and that any impact on the human rights of owner of the Property is proportionate and is outweighed by the wider public interest.

## 10.0 The Planning Position

10.1 The Property is located within the Maesteg Conservation Area which was designated by the Authority on 22 February 2001. Conservation Areas are designated under the Historic Environment (Wales) Act 2023. A map of the Conservation Area is included as **CD/27** and a copy of the Conservation Area Designation is included as **CD/28**.

10.2 The Property is subject to an Article 4(2) Direction under The Town and Country Planning (General Permitted Development) Order 1995. The Direction was confirmed on 29 May 2008 to support the conservation or enhancement of the character or appearance of the conservation following the heritage led regeneration of properties in the area through the Townscape Heritage Initiative Scheme. See **CD/29** for a copy of the Conservation Area Direction. The Article 4(2) Direction on the Property removes the permitted development rights associated with the Property relating to;

- The enlargement, improvement or other alteration of a dwellinghouse
- Any other alteration to the roof of a dwelling
- The erection or construction of a porch outside any external door of a dwellinghouse fronting a highway or open space
- The erection or demolition of a gate, fence wall or other means of enclosure within the curtilage of a dwellinghouse fronting a highway or open space
- The painting of the exterior of any part, which fronts a highway or open space of a dwelling house or any building or enclosure within the curtilage of a dwellinghouse.

10.3 Planning permission will therefore be required prior to the commencement of renovation work on the Property. Special attention will need to be given to the design and materials used for repairs and alterations as Policies SP3 (**CD/21**) and SP18 (**CD/22**) of the adopted Local Development Plan is a material consideration in the determination of an application.

10.4 Planning permission has not yet been granted however the Authority does not consider there to be any reasons why permission will not be obtained. The

Property is in a very poor condition and is currently detrimental to the amenity of the area.

- 10.5 The Building Regulations 2010 will apply to the Property. Building regulation approval will be required due to the nature and extent of the work required at the Property. Any work deemed to be 'Building Work' by Regulation 3 of the Building Regulations 2010 will require the benefit of approval under the provisions of the regulations.
- 10.6 The Property, despite its condition, is considered to make a positive contribution to the character and appearance of the conservation area. Paragraph 6.13 of TAN 24 The Historic Environment states that "there should be a general presumption in favour of retaining buildings which make a positive contribution to the character or appearance of a conservation area."
- 10.7 TAN 24 further states that "Proposals to demolish such buildings should be assessed against the same broad criteria as proposals to demolish listed buildings". Demolition should only be considered in exceptional circumstances and as a measure of last resort. Demolition should not be considered purely on the ground that it is more economical than repairing the original building. Paragraph 5.15 of TAN 24 states "The following factors need to be considered:
- The condition of the building, the cost of repair and maintenance in relation to its importance and the value derived from its continued use. Where a building has been deliberately neglected, less weight will be given to these costs.
  - The efforts made to keep the building in use or to secure a new use, including the offer of the unrestricted freehold of the building for sale at a fair market price that reflects its condition and situation.
  - The merits of the alternative proposals for the site, including whether the replacement buildings would meet the objectives of good design and whether or not there are substantial benefits for the community that would outweigh the loss resulting from demolition.
- 10.8 In view of this, the Authority does not favour the demolition of the Property and wishes to see the Property renovated to bring back into beneficial use.

- 10.9 No other compulsory purchase order has been made in relation to the Property.

## **11.0 Funding**

- 11.1 The Authority will use the Welsh Government Transforming Towns Enforcement Fund to fund the compulsory purchase order process. Bridgend CBC Cabinet approved the receipt of this funding on 22<sup>nd</sup> October 2024 (see minute 381). The cabinet minute can be viewed at **CD/03**. An application for funding to the value of £250,000 has been approved by Welsh Government. A loan agreement between Bridgend CBC and Rhondda Cynon Taf CBC (the Local Authority responsible for the management of the loan enforcement fund) was subsequently signed on 26<sup>th</sup> June 2025. A copy of the loan agreement can be found at **CD/06**. It is a requirement of the loan agreement that the loan of £250,000 is repaid to Rhondda Cynon Taf CBC by the repayment date which is defined as within 10 working days of the disposal of a registrable interest in the property or by the longstop date of 3 years from the date of the agreement, whichever is earlier.
- 11.2 Bridgend CBC has agreed to borrow £250,000. This figure has been calculated with the Welsh Government Empty Property Consultant and within the principles of the Compensation Code. It takes into consideration all potential heads of claim under the Compensation Code, including the anticipated market value of the Property, legal costs, potential inquiry costs, costs associated with the sale of the Property e.g. conveyancing and auctioneer fees, Land Transaction Tax (if payable) and other heads of compensation to which the owner may be entitled e.g. basic loss payment or disturbance.
- 11.3 Three independent desktop valuations for the market value of the Property have been completed by members of the Royal Institute of Chartered Surveyors (RICS). The first valuation was completed on 23<sup>rd</sup> January 2023 and the two subsequent valuations were completed on 9<sup>th</sup> August 2024 and 18<sup>th</sup> September 2024. A further up to date valuation will be completed once compensation becomes payable to determine the up-to-date market value of the Property.

- 11.4 The cost implications associated with the compulsory purchase process have been considered and contingency allowances have been incorporated into the budget. However, in the event of a shortfall between the Welsh Government loan funding and the total cost of the compulsory purchase process, the Authority will be able to meet this shortfall using the Council's Empty Property Capital Budget. There is currently a balance of £100,000 in this budget.

## **12.0 Inspection of Documents**

- 12.1 A copy of the Order, Order Map and this Statement of Reasons, together with the supporting documents listed in Section 13 below, are available for inspection by the public at Maesteg Town Hall, 27 Talbot St, Maesteg CF34 9DA during opening hours of Tuesday, Wednesday & Saturday 9am-5pm and Thursday & Friday 9am-5.30pm. Copies of the documents can also be viewed on the Council's website at <https://www.bridgend.gov.uk/council/legal-notices-and-orders/compulsory-purchase-order-long-term-empty-property/>

## **13.0 Supporting Documents**

- 13.1 In the event of a public local inquiry the Authority intends to refer to or put in evidence the documents listed below. This list is not intended to be exhaustive and, if a public inquiry is held, the Authority may refer to or put in evidence further documents, a list of which will be supplied in due course.
- 13.2 If the Owner of the Property requires information about the compulsory purchase process they may contact Georgina Wayman or Matthew Jones of Bridgend County Borough Council on 0300 123 6696 or via email at [gwayman@valeofglamorgan.gov.uk](mailto:gwayman@valeofglamorgan.gov.uk) or [majones@valeofglamorgan.gov.uk](mailto:majones@valeofglamorgan.gov.uk)

## **List of Documents**

### **Compulsory Purchase Order**

**CD/01** – Compulsory Purchase Order

**CD/02** – Compulsory Purchase Order Map

### **Cabinet Authorisations and Minutes**

**CD/03** – Cabinet Decision to accept the Transforming Towns Loan Funding (Cabinet minute 381 dated 22<sup>nd</sup> October 2024)

**CD/04** – Cabinet Decision in-principle to commence compulsory purchase process (Cabinet Minute 415 dated 10<sup>th</sup> December 2024)

**CD/05** – Cabinet Decision to make the Compulsory Purchase Order (Cabinet Minute 516 dated 22<sup>nd</sup> July 2025)

### **Funding Arrangements**

**CD/06** – Transforming Towns Empty Property Enforcement Fund Loan Agreement between Rhondda Cynon Taf CBC and Bridgend CBC

### **Property Ownership, Engagement & Enforcement Matters**

**CD/07** – Council Tax record

**CD/08** – Planning Contravention Notice (PCN)

**CD/09** – Last Will and Testament / Grant of Probate

**CD/10** – Schedule of Complaints

**CD/11** – Schedule of correspondence to the Property Owner

**CD/12** – Schedule of Statutory notices

**CD/13** – Outstanding Enforcement Notice dated 28<sup>th</sup> April 2021 served under Section 215, Town and Country Planning Act 1990

**CD/14** – Search of Land Charges Register 1<sup>st</sup> March 2022

**CD/15** – Search of Land Charges Register 16<sup>th</sup> July 2024

**CD/16** – LLC1 31<sup>st</sup> July 24

**CD/17** – Search of Land Charges Register 15<sup>th</sup> September 2025

### **Property Condition**

**CD/18** – Structural Report dated 10<sup>th</sup> May 2022

**CD/19** – Structural Report dated 14<sup>th</sup> May 2025

**CD/20** – Indicative Schedule of Works

### **Policy Documents**

#### **Planning**

**CD/21** – Local Development Plan (2018 – 2033) Policy SP3: Good design and sustainable place making

**CD/22** – Local Development Plan (2018 – 2033) Policy SP18: Conservation of the historic environment

#### **Housing**

**CD/23** – Bridgend County Borough Council Empty Property Strategy 2018 – 2023

**CD/24** – Local Housing Market Assessment 2024

**CD/25** – Undertaking Local Housing Market Assessments Guidance 2002

**CD/26** – BCBC Housing Prospectus 2023

#### **Conservation Area**

**CD/27** – Conservation Area Map

**CD/28** – Conservation Area Designation

**CD/29** – Conservation Direction under Article 4(2)