

INITIAL DEMOLITION NOTICE

Made under Section 138A and Schedule 5A of the Housing Act 1985 (as amended)

This Notice is given by The Council of the Borough of Kirklees of Town Hall, Huddersfield, West Yorkshire HD1 2TA (the "**Council**")

1 Properties affected

The flats within Holme Park Court, Woodhead Road, Berry Brow, Huddersfield, as listed in - Schedule 1.

The flats within Bishop's Court, Woodhead Road, Berry Brow, Huddersfield, as listed in - Schedule 2.

(the "**Relevant Premises**")

2. Intention to demolish

It is the intention of the Council to demolish the Relevant Premises.

3. Purpose of demolition

The Relevant Premises are to be demolished because fire risk assessments have identified that extensive fire safety improvements are required. Taking into account tenant feedback and the condition of the structure and fabric and remaining useful life of the Relevant Premises, and the costs of their remediation and improvement, it was resolved by the Council's Cabinet on 27th July 2021 that the Relevant Premises should be demolished, and replaced by new social housing, better suited to meet housing need.

4 Proposed demolition period

The Council intends to demolish the Relevant Premises before the end of 19 October 2029.

5. Date of expiry of the Initial Demolition Notice

This Notice will remain in force up to and including 19 October 2027 unless revoked or otherwise terminated under or by virtue of paragraph 3 of Schedule 5A of the Housing Act 1985.

6. Effect of the Initial Demolition Notice

6.1 Whilst this Notice is in force the Council will not be under an obligation to sell the freehold of any property or grant a lease as mentioned in section 138(1) of the Housing Act 1985 ("**the Grant**") in respect of any claim by a tenant to exercise the Right to Buy upon their home within the Relevant Premises.

6.2 This Notice does not prevent tenants from making Right to Buy claims. Any claims submitted to the Council for any of the Relevant Premises whilst this Notice is still in force will be processed by the Council as normal up to the point prior to the Grant. If this Notice ceases to be in force then the claim can proceed to the Grant in most circumstances.

7. Right to compensation

- 7.1 There may be a right to compensation under section 138C of the Housing Act 1985 in respect of certain expenditure incurred in relation to any existing Right to Buy claim that has been established prior to the date of the service of this Notice.
- 7.2 Any claim for compensation under the previous paragraph 7.1 of this Notice should be served upon the Council within the period of three months beginning from the date of this notice being served. A compensation claim can be made for any reasonable expenditure incurred by the tenant to date in respect of legal and other fees, and other professional costs and expenses, payable in connection with the exercise of that Right to Buy claim.

8. Effect of a Final Demolition Notice

If the Council serves a Final Demolition Notice and a Right to Buy application is suspended due to the service of this Notice, that Right to Buy application will cease to be effective. The Right to Buy will not arise in respect of the Relevant Premises while a Final Demolition Notice is in force.

Further information about this Notice can be obtained by contacting the Council's dedicated housing management team on 01484 414 886 or by mailing to HNBerryBrow@kirklees.gov.uk

The operative date of this notice is 20 October 2022 which is the date a copy of this Notice was served upon the Relevant Premises.

David Shepherd
Strategic Director Growth and Regeneration
PO Box 1720, Huddersfield, HD1 9EL

Schedule 1

Flat numbers:

1, 3, 5, 7, 9, 11, 13, 15, 17, 19, 21, 23, 25, 27, 29, 31, 33, 35, 37, 39, 41, 43, 45, 47, 49, 51, 53, 55, 57, 59, 61, 63, 65, 67, 69, 71, 73, 75, 77, 79, 81, 83, 85, 87, 89, 91, 93, 95, 97,

At Holme Park Court, Woodhead Road, Berry Brow, Huddersfield, HD4 7NH

2, 4, 6, 8, 10, 12, 14, 16, 18, 20, 22, 24, 26, 28, 30, 32, 34, 36, 38, 40, 42, 44, 46, 48, 50, 52, 54, 56, 58, 60, 62, 64, 66, 68, 70, 72, 74, 76, 78, 80, 82, 84, 86, 88, 90, 92, 94, 96, 98

At Holme Park Court, Woodhead Road, Berry Brow, Huddersfield, HD4 7NJ

Schedule 2

Flat numbers:

1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96.

At Bishops Court, Woodhead Road, Berry Brow, Huddersfield, HD4 7PH