

Planning (Listed Buildings and Conservation Areas) Act 1990, section 48

REPAIRS NOTICE IN RESPECT OF
Numbers 4, 5, 6 and 7
Worsbrough Hall
Hall Close
Worsbrough Village
Barnsley
S70 5LN

ISSUED BY Barnsley Metropolitan Borough Council

THIS IS AN IMPORTANT NOTICE AFFECTING YOUR PROPERTY
LISTED BUILDINGS REPAIRS NOTICE

To:

- (Redacted) of 4 Hall Close
- (Redacted) of 5 Hall Close
- (Redacted) of 6 and 7 Hall Close

At Worsborough Village, Barnsley, South Yorkshire, S70 5LN.

1. The building known as Worsbrough Hall ('The Building') is a listed building under section 1(5) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (hereinafter known as 'the 1990 Act'). The Building is shown edged in red on the map attached to this Notice and described for identification purposes only in Schedule 1 of this Notice.
2. It appears to Barnsley Metropolitan Borough Council ('the Local Authority') whose area includes the Building and being the Local Authority for the purposes of section 48 of the 1990 Act that the works specified within Schedule 2 ('the Works') of this Notice are reasonably necessary for the proper preservation of the Building.
3. NOTICE IS HEREBY GIVEN that the Local Authority considers the works specified within Schedule 2 of this Notice reasonably necessary for the proper preservation of the Building.
4. If after two months from the date of service of this Notice the Local Authority have not withdrawn the Notice, the Local Authority may ask the Secretary of State to authorise it to acquire compulsorily the Building and any land contiguous or adjacent to it which appears to the Secretary of State to be required for preserving the Building or its amenities, or for affording access to it, or for its proper control or management.
5. The Secretary of State may make or confirm an order for the compulsory purchase of the Building and any land contiguous or adjacent to it if:
 - a) it appears to him/her that reasonable steps are not being taken for the proper preservation of the Building
 - b) s/he is satisfied that it is expedient to make provision for the preservation of the Building
 - c) and s/he is satisfied that it is expedient for that purpose for it to be acquired compulsorily.
6. If compulsory purchase procedures are initiated then any person having an interest in the Building which it is proposed to acquire compulsorily may, within 28 days after the service of the Notice required under section 12 of the Acquisition of Land Act 1981, apply to a magistrates' court for an order staying the proceedings on the ground that reasonable steps have been taken to properly preserve the Building.

7. On compulsory purchase of the Building, it shall be assumed for the purpose of assessing compensation that listed building consent would be granted for any works:
 - a) for the alteration or extension of the Building or
 - b) for the demolition of the Building for the purpose of development of any class specified in Schedule 3 to the Town and Country Planning Act 1990 (development not constituting new development).
8. If the Secretary of State is satisfied that the Building has been deliberately allowed to fall into disrepair for the purpose of justifying its demolition and the development or re-development of the site, or any adjoining site, he may include in the compulsory purchase order a direction for minimum compensation.
9. The effect of such a direction is that for the purpose of assessing compensation that is payable for compulsory purchase it is assumed that:
 - a) planning permission would not be granted for any development or re-development of the site of the Building, and
 - b) that listed building consent would not be granted for any works, other than works necessary for restoring the Building to and maintaining it in a proper state of repair.
10. Where such direction is included in a compulsory purchase order or draft order any person having an interest in the Building may, within 28 days after service of the Notice of minimum compensation direction, apply to a magistrates' court for an order that no such direction should be included.
11. If you wish to discuss this Notice or any related matter you should contact the Local Authority's Conservation Officer on telephone number 01226 772576 or by email at tonywiles@barnsley.gov.uk as soon as possible.

DATED

XX October 2020

Signed

On behalf of:

Director of Legal and Governance

Barnsley Metropolitan Borough Council
Town Hall
Barnsley
S70 2TA

Ref:

LEGAL REF REQUIRED

SCHEDULE 1

The Building as shown for the purposes of identification only edged red on the attached plan.

SCHEDULE 2

Specification of works to be carried out to the Building in order to secure its proper preservation.