

Committee: Planning

Date of Meeting: 9 March 2011

Title of Report: Works in default within Linacre One HMRI area.
Report of: Andy Wallis
Planning and Economic Regeneration Director

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| This report contains | Yes | No |
|---|-----|----|
| Confidential information | | ✓ |
| Exempt information by virtue of paragraph(s) of Part 1 of Schedule 12A to the Local Government Act 1972 | | ✓ |
| Is the decision on this report DELEGATED? | ✓ | |

Purpose of Report: To seek authority to carry out works in default in respect of non compliance with a notice under the terms of Section 215 of the Town & Country Planning Act 1990 to the following property within the Linacre One HMRI area : 99-101 Linacre Road, Litherland.

Recommendation(s): That the Planning and Economic Regeneration Director be authorised to execute the works required by the Section 215 notices in respect of the property at 99-101 Linacre Road, Litherland, pursuant to Section 219 of the Town & Country Planning Act 1990, subject to the necessary funding being provided by Neighbourhood Initiative Funding.

Corporate Objective Monitoring

| Corporate Objective | | Impact | | |
|---------------------|---|----------|---------|----------|
| | | Positive | Neutral | Negative |
| 1 | Creating A Learning Community | | ✓ | |
| 2 | Creating Safe Communities | | ✓ | |
| 3 | Jobs & Prosperity | | ✓ | |
| 4 | Improving Health & Well Being | ✓ | | |
| 5 | Environmental Sustainability | ✓ | | |
| 6 | Creating Inclusive Communities | | ✓ | |
| 7 | Improving The Quality Of Council Services & Strengthening Local Democracy | | ✓ | |
| 8 | Children & Young People | | ✓ | |

Financial Implications

Officer Time

Departments consulted in the preparation of this Report

None

List of Background Papers relied upon in the preparation of this report

The notice referred to.

Introduction.

The approval of the committee is required for action to be taken under Section 219 of the Town & Country Planning Act 1990 by way of works in default to be undertaken by the council.

Current situation.

99-101 Linacre Road are vacant mid-terraced commercial units with non residential accommodation above situated within a primarily residential area and also within the Linacre One HMRI area. The properties have remained long term vacant. Their appearance and condition is having an adverse and detrimental impact on visual amenities of nearby residents.

Letters have been sent to the owners at their last known addresses in Ireland requesting work be carried out to improve the appearance of the property by carrying out remedial works. None of the correspondence has been answered and the owners have not made contact with the council. It has therefore not been possible to request remedial works be carried out. As a result Section 215 Notices was issued and served on the property on 13th January 2011. The compliance period ends on 11th March 2011.

The requirements of Section 215 Notice are: Repair and/or clean rainwater goods to front elevation. Paint boarding to windows at front elevation first & second floors with one coat of exterior grade under coat and two coats of exterior grade cream coloured gloss paint. Paint rendering to area of removed window at front elevation first floor with one coat of exterior grade under coat and two coats of exterior grade cream coloured gloss paint. Paint fascia to bay windows at front elevation first floor with one coat of exterior grade under coat and two coats of exterior grade dark blue coloured gloss paint. Shutters to front elevation to be cleaned and prepared, then painted with one coat of exterior grade under coat and two coats of exterior grade dark blue coloured gloss paint. Paint signage board/facia panel at front elevation with one coat of exterior grade under coat and two coats of exterior grade dark blue coloured gloss paint. Paint exposed brickwork to ground floor front elevation with one coat of exterior grade under coat and two coats of exterior grade dark blue coloured gloss paint. Concrete lintels to all windows at front elevation to be cleaned and prepared, then painted with one coat of exterior grade under coat and two coats of exterior grade dark blue coloured gloss paint. Leave the land in a clean and tidy condition. Leave the property secure.

A site inspection is due to take place on 14th March 2011 when it is expected to reveal that no remedial works have been undertaken to comply with the requirements of the Section 215 Notice by the owner(s) of the property, namely, 99-101 Linacre Road, Litherland property continues to deteriorate.

Comments.

In the absence of any communication whatsoever with the owner it is reasonable to conclude that it is not possible to undertake any legal proceedings that would bring about a satisfactory conclusion to the matter. None the less, the HMRI includes a commitment to ensuring that improvements are carried out to buildings and land within the Linacre One area.

The council are empowered by virtue of Section 219 of the Planning Act to carry out works in de-fault and recover the costs of doing so from the owners.

Financial funding to carry out remedial works is available and can be provided by Neighbourhood funding. Estimates have been sought from authorised contractors and the cost for the remedial works will be in the region of £1,700.00

Furthermore, it is considered expedient and pragmatic to make use of the set aside funding, which is available to be used to undertake outstanding remedial works as specified in the requirements of the section 215 notices to the above property as a matter of urgency.

The funding, which I understand is only available for the current financial year, has been set aside as a contingency for such matters.

It is important, in the short term to ensure that any long-term vacant properties such as the above are effectively secured and refurbished in such a manner that will provide a more aesthetically pleasing appearance.

Consequently, it is considered appropriate that resources and funding provided can be used to remedy the above breach of planning control.

Recommendation.

That the Planning and Economic Regeneration Director be authorised to execute the works required by the Section 215 Notice in respect of the property at 99-101 Linacre Road, Litherland pursuant to Section 219 of the Town & Country Planning Act 1990, subject to the necessary funding being provided by the Neighbourhood Initiative Fund.