

**Committee:** Planning

**Date Of Meeting:** 13<sup>th</sup> January 2010

**Title of Report:** Urgent Works Notices – 40 Lancaster Road, Birkdale and the International Hotel, Crosby Road South, Seaforth

**Report of:** Andy Wallis  
Planning and Economic Regeneration Director

**Contact Officer:** Daniel Byron Telephone 0151 934 3584  
**Case Officer:** Daniel Byron Telephone 0151 934 3584

<b>This report contains</b>	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:**

This report has been prepared to request members authorisation for the Planning and Economic Regeneration Director to serve Urgent Works Notices on 40 Lancaster Road, Birkdale and the International Hotel, Crosby Road South, Seaforth.

### **Recommendation(s):**

It is recommended that the Planning and Economic Regeneration Director be authorised to :

- (i) Serve an Urgent Works Notice in respect of 40 Lancaster Road, Birkdale and to serve an Urgent Works Notice in respect of the International Hotel, Crosby Road South, Seaforth to secure the buildings from further decline.
- (ii) Carry out the works in default if the respective owners do not comply with the Urgent Works Notices.

## Corporate Objective Monitoring

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

## Financial Implications

There is no direct financial implication for the authorisation of the serving of the Urgent Works Notices.

However If the owners do not undertake the works in accordance with the Urgent Works Notice there could be a cost implication to the Council as the works would be carried out by the Council in default. If this was the case the costs would be recoverable in the future as they would be registered as a land charge against the property and could be recouped when the property was sold.

The estimated cost of works for 40 Lancaster Road is £3,500+VAT; the estimated cost of works for the International Hotel is £4,000+VAT. Stepclever can fund up to £2,300 of the works for the International Hotel as it is in a HMRI area.

The overall estimated cost therefore to carry out these works will be £5,200, and this may be required to be spent initially from Council resources, and subsequently held as rechargeable works costs through Land Charges on the properties, pending recoupment at a later stage from the present or future owners of the buildings.

## Departments consulted in the preparation of this Report

Finance Directorate FD 277 -  
Legal Services Directorate

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

'Stopping the Rot', English Heritage, 1998

## Background

1. 40 Lancaster Road also known as the school for the partially hearing is a grade II Listed Building within West Birkdale Conservation Area. The owners of 40 Lancaster Road have been seeking pre-application approval for a variety of schemes however the proposals submitted so far have not been acceptable.

2. The Council wrote to the owner's explaining the concerns with the state of the building and reminding them of their responsibilities of owning a Listed Building. The building is currently vacant and has been the subject of various break ins and arson attacks, as a result a schedule of works have been drawn up by the Council in conjunction with Merseyside Fire Service. The owners have failed to maintain the building to a reasonable standard during their ownership and they have also failed to bring forward any viable schemes to retain the building in use. They have indicated that they are willing to carry out the urgent works but have not given a firm timescale. There is concern that this will lead to unacceptable delay as the building is open to the elements and it would need to be secured in the remaining winter months, to stop further deterioration.
3. The International Hotel is a grade II Listed building, it is not located in a Conservation Area, however is located in a HMRI area. The owner of the International has been seeking pre-application approval for conversion of the hotel and outbuilding into apartments and the formation of a number of dwellings adjacent. The proposals so far have been generally acceptable in principle; however the owner has not confirmed when they will be brought forward. The building has recently had a break in and was subject to an arson attack, this has left the building with significant fire damage.
4. The Council wrote to the owner explaining the concerns with the state of the building and reminding him of his responsibilities of owning a Listed Building. The owner's representative has contacted me outlining that at the present time the owner was seeking an insurance claim in respect of the fire damage and that at present he has no funds to complete these works. It was also outlined that when the owner returned to liquidity he would carry out the works. There is concern that this will lead to unacceptable delay as the building is open to the elements and should be secured in the remaining winter months, to stop further deterioration.

### **Serving an Urgent Works Notice on the Property**

5. Section 54 of the Planning (Listed Buildings and Conservation Areas) Act, 1990 enables this Council to execute any works which appear to them to be urgently necessary for the preservation of a listed building in their area. Section 55 of the same Act enables this Council to recover from the owner the expenses of any works carried out under Section 54.
6. An Urgent Works Notice is intended to prevent deterioration and damage from starting and/or getting worse in a property. In the case of 40 Lancaster Road and the International Hotel, this will mean provision of measures outlined in the schedule of works in Annex A and B for each respective property.
7. In terms of the process of serving any notice the first step has already been taken in writing to the owners of the properties to inform them of the problems with building and what steps are available to the Council. This has not produced a positive response and as a result a further site visit has been carried out. A second letter setting out the schedule of urgent works with a compliance period, has also not been fulfilled. If the Council serves the notice, the owner has a minimum period of 7 days to comply with the notice. If after that period the owner still does not comply with the notice the Council can undertake the works itself and serve a further notice to recover their costs.

### **Conclusion**

8. If the owners do not undertake the works in accordance with the Urgent Works Notice's there would be a cost implication to the Council in respect of 40 Lancaster

Road as the Council would have to undertake the Urgent Works itself, if this was the case these would be recoverable from the owner. There would be a reduced cost to the Council for the works to the International Hotel as these can be part funded by Stepclever as the property is in HMRI area. The schedule of proposed works for these properties is in the appendices attached.

9. It is recommended that the Planning and Economic Regeneration Director be authorised to:

Serve Urgent Works Notice's in respect of 40 Lancaster Road, Birkdale and the International Hotel, Crosby Road South, Seaforth in order to secure the buildings from further decline.

Carry out the works in default if the respective owners do not comply with the Urgent Works Notices.

## **Appendix A**

40 Lancaster Road

### **SCHEDULE OF URGENT WORKS**

1. Thoroughly check the roof covering and re-fix all missing and loose tiles in order to prevent water ingress.
2. Board up windows and doors to all elevations with ½ “ plywood or sterling board. All boards to be drilled with 1” wide holes to facilitate ventilation and air movement within the property which will reduce dampness.
3. Clean and clear gutters, hoppers, downpipes and drains through to inspection chambers
4. Repair existing and reinstate missing sections of rainwater goods and generally ensure that all rainwater run-off is conducted to main drains.
5. Ensure the boundary walls, gates, fences etc. are secure and that no unauthorised access to the site or the building can occur through adequate security measures.
6. Turn off any live services (with the exception of the electricity to allow smoke alarms to be working) and drain down heating and water supply systems.
7. Clear away accumulated rubbish, non fixed furniture and combustible material from the interior, including pigeon droppings.

## **Appendix B**

### International Hotel

#### **SCHEDULE OF URGENT WORKS**

1. Thoroughly check the roof covering and re-fix all missing and loose slates and ridge tiles in order to prevent water ingress.
2. Board up any broken windows with ½ “ plywood or sterling board. All boards to be drilled with 1” wide holes to facilitate ventilation and air movement within the property which will reduce dampness.
3. Clean and clear gutters, hoppers, downpipes and drains through to inspection chambers
4. Repair existing and reinstate missing sections of rainwater goods and generally ensure that all rainwater run-off is conducted to main drains.
5. Cut back and treat vegetation rooting into rainwater goods and brickwork using a suitable systemic killer, as a result repoint using a Lime mortar mix where brickwork had been damaged by vegetation removal.
6. Ensure the boundary walls, gates, fences etc. are secure and that no unauthorised access to the site or the building can occur through adequate security measures.
7. Clear away accumulated rubbish and combustible material from the interior including pigeon droppings.