

Committee: Planning
Date of Meeting: 13 January 2010
Title of Report: Works in default within Queens Road/Bedford Road HMRI area.
Report of: Andy Wallis
 Planning and Economic Regeneration Director
Contact Officer: Mr J E Alford Telephone 0151 934 3544
Case Officer: Mr A Lynch Telephone 0151 934 3571

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 properties within the Queens Road/Bedford Road HMRI area : 1-3 Bedford Road, Bootle.

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 1-3 Bedford Road, Bootle, pursuant to Section 219 of the Town & Country Planning Act 1990, subject to the necessary funding being provided by Housing Market Renewal 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.

1- 3 Bedford Road is a vacant end terraced dwelling house within a primarily residential area and also within the Queens Road/ Bedford Road HMRI area. It has remained long term vacant and derelict. 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 address in Bolton, requesting work be carried out to improve the appearance of the property by carrying out remedial works. There has been no response from the owners and further correspondence has been unanswered and the owners have not made any contact with the council. Further requests in writing for remedial works to be carried out have been ignored. As a result Section 215 Notices was issued and served on the property on 19th October 2009. The compliance period ended on 15th December 2009.

The requirements of Section 215 Notice are: Remove timber sheeting to windows at front elevations to Bedford Road and Kings Road. Secure all windows to front elevations to Bedford Road and Kings Road with polymer sheeting. Secure windows, openings and door to rear elevation with 4mm stainless steel permascreeen sheeting. Repair/replace and clean, gutters and downspout to front and rear elevations. Remove all waste materials from the rear of the dwelling houses to include general litter, waste building materials and waste overgrowth. Leave the land in a clean and tidy condition

A site inspection took place on 21st December 2009 which revealed that no remedial works have been undertaken to comply with the requirements of the Section 215 Notice by the owner of the property, namely, 1-3 Bedford Road, Bootle. The 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 Queens Road/Bedford Road 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 the HMRI. Estimates taken from authorised contractors give a cost for the remedial works in the region of £2,000.

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 Notices in respect of the property at 1-3 Bedford Road, Bootle pursuant to Section 219 of the Town & Country Planning Act 1990, subject to the necessary funding being provided by the HMRI Fund.