

Committee: Planning
Date Of Meeting: 13 January 2010
Title of Report: Works in default at 15 Chetwood Avenue, Crosby.
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 property – 15 Chetwood Avenue, Crosby.

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 15 Chetwood Avenue, Crosby, pursuant to Section 219 of the Town & Country Planning Act 1990, subject to the necessary funding being provided by the Housing Capital Programme – Empty Homes budget.

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 de-fault to be undertaken by the council.

Current situation.

15 Chetwood Avenue is a traditional three bedroomed semi detached house within a primarily residential area. It has remained long term vacant and derelict and consequently the appearance and condition is having an adverse and detrimental impact on visual amenities of nearby residents.

This is the second occasion that this vacant property has been subject to a Section 215 Notice. On the first occasion the Notice was followed by works in default in June 2008

Letters have been sent to the owner at his last known address in Estonia 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 owner has 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 11th December 2009. The compliance period ended on 16th January 2010.

The requirements of Section 215 Notice are: Re-instate brick wall to match surrounding walls to front boundary of front garden. Cut back all overgrowth to front and rear gardens. Paint garage door dark blue. Re-paint white, rendering to front elevation. Re-paint white, doors and window frame's to all elevations. Remove tree sapling growing in rear garden at boundary to No 17 Chetwood Avenue. Remove all waste overgrowth, waste materials to leave the land clean & tidy. Treat driveway at front elevation with preparatory weed killer. Apply preparatory weed killer and weed suppressant sheeting, and cover with gravel, to garden at front elevation. Leave the land secure.

A site inspection after 16th January 2010 is not expected to reveal that remedial works have been undertaken to comply with the requirements of the Section 215 Notice by the owner of the property, namely, 15 Chetwood Avenue, Crosby. The property continues to deteriorate.

Notwithstanding and despite all avenues of investigation being exhausted the owner of the above property's whereabouts cannot be established and therefore it has not been possible to undertake prosecution action.

Comments.

There have been two changes made to the remedial works in de-fault to be carried out to that of the Section 215 Notice.

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.

Estimates for the works have been sought from authorised council contractors. The lowest estimate was provided by Church Street Demolition (Liverpool) Ltd with the cost of the works being £3,100 exclusive of vat. Financial funding to carry out remedial works are sought from the Housing Capital Programme – Empty Homes budget and these funds will be recovered by the placing of a charge against the property on the Land Register.

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.

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 15 Chetwood Avenue, Crosby pursuant to Section 219 of the Town & Country Planning Act 1990, subject to the necessary funding being provided by the Housing Capital Programme – Empty Homes budget.