

REPORT TO: CABINET MEMBER – TECHNICAL SERVICES

DATE: 10 FEBRUARY 2010

SUBJECT: Willard Street, Glynne Street, and Hertford Road Bootle - Section 247
Town and Country Planning Act 1990

**WARDS
AFFECTED:** LINACRE AND LITHERLAND

REPORT OF: R S WALDRON – ASSISTANT DIRECTOR TRANSPORTATION AND
DEVELOPMENT

**CONTACT
OFFICER:** D. MARRIN – TRAFFIC SERVICES MANAGER – Ext. 4295
M. HUNTER – HIGHWAYS DEVELOPMENT CONTROL – Ext. 4240

**EXEMPT/
CONFIDENTIAL:** No

PURPOSE/SUMMARY:

To seek approval for the Legal Director in conjunction with the Director of Planning and Economic Regeneration to approve the making of an Order pursuant to s247 of the Town and Country Planning Act 1990.

REASON WHY DECISION REQUIRED:

Cabinet Member authorisation is required to support the application by the Council to the Government Office for the North-Wast. The application will enable the redevelopment of the areas and extinguish areas of highway, which are considered unnecessary.

RECOMMENDATION(S):

That : -

The Cabinet Member authorises the making and subject to no objections being made following the statutory advertisement procedure, confirmation of an Order pursuant to s247 of the Town and Country Planning Act 1990 to extinguish/stop-up the following areas of highway, as detailed within the report and shown upon the attached plans numbered DC0549 and DC0550 subject to the applicant bearing all costs associated with the application: -

- Willard Street and Glynne Street, Bootle and associated passageways leading therefrom. (DC0549)
- Part of Hertford Road fronting 43-78, Bootle and associated passageways leading therefrom. (DC0550)

KEY DECISION: No

FORWARD PLAN: No

IMPLEMENTATION DATE: Following the expiry of the 'call in 'period for the minutes of the meeting.

ALTERNATIVE OPTIONS:

There are no alternative options

IMPLICATIONS:

Budget/Policy Framework: None

Financial: The applicant will meet the legal and administrative cost of the proposals.

<u>CAPITAL EXPENDITURE</u>	2009 2010 £	2010/ 2011 £	2011/ 2012 £	2012/ 2013 £
Gross Increase in Capital Expenditure	N/A			
Funded by:				
Sefton Capital Resources				
Specific Capital Resources				
<u>REVENUE IMPLICATIONS</u>				
Gross Increase in Revenue Expenditure				
Funded by:				
Sefton funded Resources	No			
Funded from External Resources	Yes			
Does the External Funding have an expiry date? No		When?		
How will the service be funded post expiry?				

Legal: Yes

Risk Assessment: None

Asset Management: None

CONSULTATION UNDERTAKEN/VIEWS

None

CORPORATE OBJECTIVE MONITORING:

<u>Corporate Objective</u>		<u>Positive Impact</u>	<u>Neutral Impact</u>	<u>Negative Impact</u>
1	Creating a Learning Community		✓	
2	Creating Safe Communities	✓		
3	Jobs and Prosperity	✓		
4	Improving Health and Well-Being		✓	
5	Environmental Sustainability		✓	
6	Creating Inclusive Communities		✓	
7	Improving the Quality of Council Services and Strengthening local Democracy		✓	
8	Children and Young People		✓	

LIST OF BACKGROUND PAPERS RELIED UPON IN THE PREPARATION OF THIS REPORT

None

SECTION 247 TOWN & COUNTRY PLANNING ACT 1990 – VARIOUS LOCATIONS

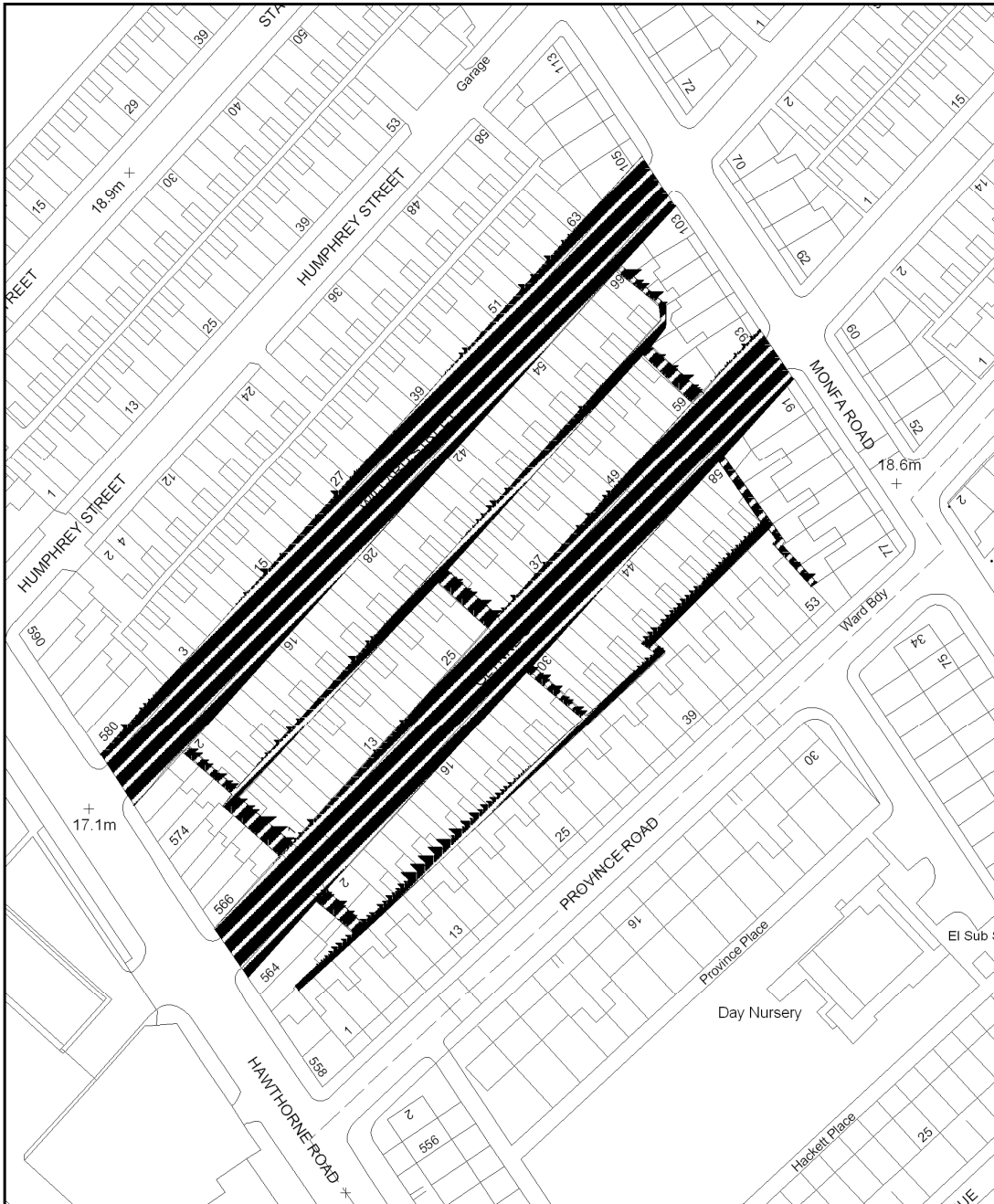
1.0 Information / Background




- 1.1 Applications have been received from the Programme Manager Housing Market Renewal Initiative, for the stopping-up of areas of highway within the Borough, as shown upon the attached plans numbered DC0549 and DC0550.
- 1.2 Planning permission has been granted for the respective developments.
- 1.3 The stopping-up applications relate to a areas of highway, which are considered unnecessary and are required to enable/facilitate development which has received planning permission.
- 1.4 The stopping-up of the highways in question will facilitate the demolition and redevelopment of the area (Willard Street, Glynne Street, part of Hertford Road and side of 78 Exeter Street) to enable the construction of a new housing layout as part of the HMRI programme within Sefton. The existing properties are predominantly vacant whilst awaiting demolition and new properties will be served by a new conventional highway layout with gardens, driveways etc. In due course the Highway Authority will adopt the newly constructed roadways.
- 1.5 The Ward Councillors have been notified in respect of the application and have made no comment to-date.

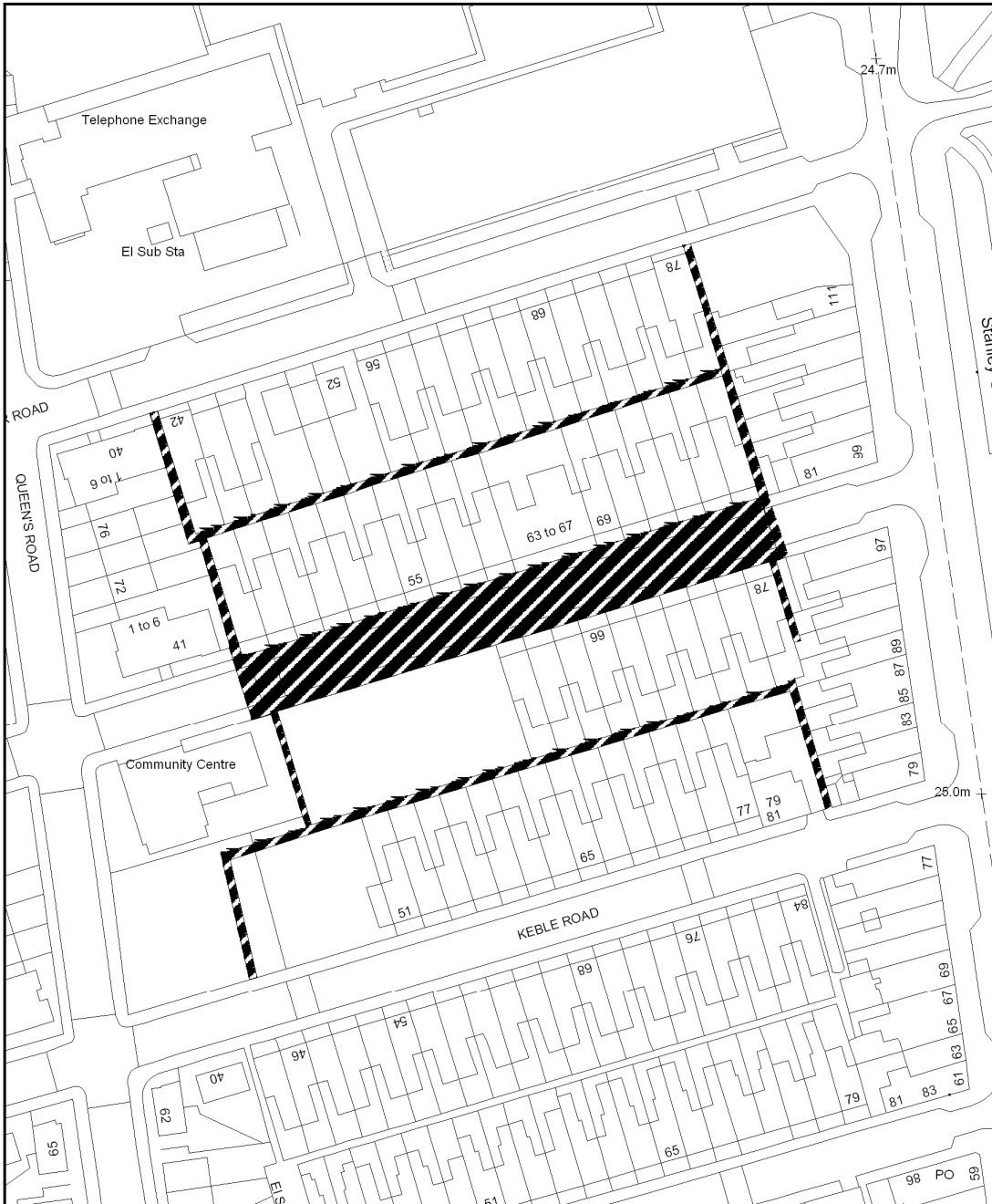
2.0 S247 Town and Country Planning Act 1990 Procedure




- 2.1 Section 247 of the Town and Country Planning Act 1990 gives power to make stopping up orders for highways within their Boroughs if they are satisfied that it is necessary to do so in order to enable development to be carried out in accordance with the planning permission granted.
- 2.2 The process for the making of the Order is as follows:
 - Notices of the proposed order will be advertised in a local newspaper circulating in the area and in the London Gazette.
 - Notices will be served on relevant authorities, principally statutory undertakers having equipment in or under the subject highway, and displayed on each end of the highway to be stopped up.
 - If no objections are received after a period of 28 days, the Council may proceed to make the stopping up order.
 - If, however, an objection is received which is not withdrawn, the Council must inform the Planning Inspectorate and Government Office for the North-east and a public inquiry may be held to determine the objection.
 - Subject to making the order, the Council must publish in the London Gazette and in at least one local newspaper a notice stating that the Order has been made and specifying a place where a copy of the Order can be seen at all reasonable hours.

Andy Wallis
Director of Planning and Economic Regeneration



<p>SEFTON M.B.C.</p> 	<p align="center">Stopping-up of Public Highway - Section 247 Highways Act 1980</p>			
<p align="center">Willard Street and Glynne Street, Bootle and associated passageways leading therefrom.</p>				
<p>Public highways to be stopped-up shown as: </p>				
<p>HIGHWAYS DEVELOPMENT CONTROL Andy Wallis Director of Planning & Economic Regeneration Magdalen House 30 Trinity Road Bootle, L20 3NJ</p>	<p>Drawn By: MH</p>	<p>Scale: NTS</p>	<p>Date: 26/01/10</p>	<p>Checked: BM</p>
<p>Ward: Litherland</p>		<p>OS: SJ3496NE</p>	<p>Plan: DC0549</p>	
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<p>SEFTON M.B.C.</p> 	<p>Stopping-up of Public Highway - Section 247 Highways Act 1980</p>			
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<p>Ward: Linacre</p>		<p>OS: SJ3494NW</p>	<p>Plan: DC0550</p>	
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