

Committee: Planning
Date of Meeting: 10 March 2010
Title of Report: Works in default within Queens Road/Bedford Road HMRI area.
Report of: Andy Wallis
 Planning and Economic Development 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 within the Queens Road/Bedford Road HMRI area : 41 Ursula Street, 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 41 Ursula Street, 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.

41 Ursula Street is a vacant mid-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. The appearance and condition is having an adverse and detrimental impact on visual amenities of nearby residents.

Letters have been sent to the owner at his address in Ireland, requesting work be carried out to improve the appearance of the property by carrying out remedial works. There has been no response from the owner and further correspondence has been unanswered and the owner has 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 on 14th January 2010 and served on the property on 13th January 2010. The compliance period ends on 11th March 2010.

The requirements of Section 215 Notice are: Remove boarding from the ground floor bay window at the front elevation. Secure windows at front elevation with polymer sheeting, with net curtains fitted behind. Paint boarding to door at the front elevation with dark brown exterior grade gloss paint, two coats. Remove all vegetation growing to the front elevation of the building. Secure all windows and door to rear elevation with 4mm stainless steel permascreen sheeting. Repair/replace and clean gutters and downspouts to front and rear elevations. Remove all waste materials from the front and rear of the dwelling house to include, timber, household waste items, metal, general litter and waste overgrowth. Leave the land in a clean and tidy condition. Leave the property and land secure.

A site inspection is due to take place on 12th March 2010 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 of the property, namely, 41 Ursula Street, 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 owner.

Financial funding to carry out remedial works is available and can be provided by the HMRI. Estimates are being sought from authorised contractors and the cost for the remedial works will be in the region of £1,600 to £1,800.

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 41 Ursula Street, Bootle pursuant to Section 219 of the Town & Country Planning Act 1990, subject to the necessary funding being provided by the HMRI Fund.