

PROPOSALS TO DEAL WITH DERELICT AND DILAPIDATED PROPERTIES

LEAD OFFICER: Julie Betteridge, Head of Development Strategy
REPORT AUTHOR: Diane Ward, Regeneration Project Officer

Summary and Recommendation:

Summary: This report provides details of what action is proposed in respect of derelict and dilapidated properties within the Council's area.

Recommendation: That the report be noted.

1. BACKGROUND

- 1.1 For many years derelict and dilapidated buildings and untidy land across the Borough have generated complaints from the communities in which they are situated. These properties degrade neighbourhoods, not only blighting landscapes and reducing civic pride but because these sites also often attract anti-social behaviour.
- 1.2 Ruinous buildings also serve to detract from wider regeneration activities such as improvements to the public realm and efforts to increase private investment.

2. STATUTORY PROCEDURES

- 2.1 Statutory procedures allow the Council to take action in respect of derelict or dilapidated buildings. Section 79 of the Building Act 1984 provides that if a local authority believes that a building or structure is by reason of its ruinous or dilapidated condition seriously detrimental to the amenities of the neighbourhood that the local authority may require the owner to execute works of repair or restoration as may be necessary in the interests of amenity. A right of appeal lies to the Magistrates' Court with subsequent appeal to the Crown Court. Non-compliance with the notice allows the local authority to execute the works and recover from the recipient of the notice the expenses reasonably incurred of doing so. Also non-compliance is an offence.

- 2.2 Section 215 of the Town & Country Planning Act 1990 allows a local planning authority to serve on an owner or occupier of land a notice requiring steps to be taken to remediate land where the amenity of the area is adversely affected by the condition of the land. Appeal lies again to the Magistrates' Court and the Crown Court. Non-compliance can be dealt with by the local authority executing the works and recovering the expenses incurred and/or by prosecuting the person concerned.

3. ISSUES TO BE CONSIDERED

- 3.1 Officers have prepared, in conjunction with feedback from town or parish councils and regeneration partnerships, a list of land and properties which they believe require action to be taken under the above statutory provisions. The properties are listed below with a note of the current position included:

<u>No.</u>	<u>Property/Land</u>	<u>Current position</u>
1	Methodist Church, Cleator Moor	Owner in protracted sale. CBC informed owner works will be required.
2	Anchor Inn, Frizington	Owner currently renovating other properties, due for completion October 2008; then intends to deal with this property
3	8 Market Place, Whitehaven	Meeting with occupier to be held on 08/10/08; dialogue with owner opened
4	Taylor's Tavern, Whitehaven	Potential new owners applied for alcohol and music licence. Once permission granted and sale complete expect renovations.
5	64 Main Street, Egremont (business premises)	Currently advertised for sale.

6	Old Toilet Block, Haverigg	Awaiting reply from owner.
7	60 High Street, Cleator Moor (former repair shop)	Awaiting reply from owner
8	14 Ennerdale Road, Cleator Moor (Former printers shop)	Owner considering funding options to complete renovation
9	63A High Street, Cleator Moor (Conservative Club)	Property for sale
10	Council Chambers, Main Street, Frizington	Conversion to residential properties underway, but currently advertised for auction.
11	Main Street, Frizington (auto repairs)	Demolished
12	Chapel, Kirkland	Owner recently secured planning permission, allowing time for works to commence.
13	Kangol Factory, Cleator	Potential development site
14	Pump House, Fell Dyke, Lamplugh	Issues with planning position which need to be resolved
15	Residential property, Kirkland	Planning to enforce for unsightly land surrounding property
16	Birks Road, Cleator Moor (Old Brewery House)	Planning to enforce for unsightly land surrounding property

- 3.2 Appendix 1 to this report sets out in general the actions to be taken; appendix 2 provides criteria for determining how properties should be prioritised for action being taken. The process outlined in Appendix 1 is being followed by a regeneration projects officer with regular meetings and support from representatives of building control, development control, environmental health, housing, planning strategy and legal services to ensure a co-ordinated approach. Six priority properties have been identified and these are the first six in the above list. Remedial action is being concentrated on these six properties.

4. CORPORATE PLAN

- 4.1 The proposals contribute to achieving objectives 2.2 Regenerating Copeland and 3.3 Quality Living Environment.

5. BENCHMARKING

- 5.1 This process has been informed by the work of Allerdale Borough Council which has a good track record in tackling such properties and advice has been sought to help this Council's process.

6. PUBLIC CONSULTATION AND PUBLICITY

A list has been drawn up with nominations from with town and parish councils and with reference to number of complaints received. Those properties which received the first letter were published in the Whitehaven News.

7. CONCLUSION AND RECOMMENDATION

- 7.1 The Council needs to address the Borough's derelict buildings to improve the built environment, residents satisfaction with the neighbourhoods in which they live, ensure maximum impact of regeneration schemes and to demonstrate the Council's responsiveness to its residents.
- 7.2 Although the proposed way forward is relatively cautious, this gives the Council the opportunity to develop this area of work and make a positive impact in the communities.
- 7.3 Any comments of members of the Overview and Scrutiny Committee at this stage of the process would be most welcome.

List of Appendices

Appendix 1 Planned procedure

Appendix 2 Priority Criteria

List of Consultees:

Fergus McMorrow – Corporate Director Economic Prosperity & Sustainability

Julie Betteridge – Head of Development Strategy

Tony Pomfret – Development Control Manager

Clinton Boyce – Legal Services Manager

John Hughes – Strategic Planning Manager

Mark Key – Building Control Manager

John Cain – Environmental Health Manager

Debbie Cochrane – Housing Strategy Manager

Ron Black - Senior Planning Technical Officer

Marlene Jewell – Senior Legal Officer

CHECKLIST FOR DEALING WITH KEY ISSUES

Please confirm against the issue if the key issues below have been addressed. This can be by either a short narrative or quoting the paragraph number in the report in which it has been covered.

Impact on Crime and Disorder	1.1
Impact on Sustainability	1.2
Impact on Rural Proofing	None
Health and Safety Implications	Ensures safe and secure sites
Impact on Equality and Diversity Issues	None
Children and Young Persons Implications	None
Human Rights Act Implications	None
Section 151 Officer comments:	Financial implications need to be identified and budgetary provision made.
Monitoring Officer comments:	Legal Services have been involved in the planning of the proposed actions, which are in line with legislation.