

Report to Gedney Parish Council for meeting 9<sup>th</sup> February 2010

7 Dawsmere Bank

South Holland District Council Officers have visited the property at 7 Dawsmere Bank and advise that the property is in poor condition, the owner have stripped out much of the interior and neglected the garden.

Information that the owner was a partner in the building firm of D & H Builders of Lime Walk, Long Sutton, is I am advised incorrect.

The owner has disappeared, and attempts so far to trace him or her have so far failed.

I understand that it is not an offence to strip out the interior of a property or allow it to deteriorate or strip it out. However if the condition of the property damage the amenity of neighbouring properties then it is possible for the Council to serve a notice under section 215 of the Town & Country Planning Act 1990.

This section empowers the Local Planning Authority to serve a notice on the owner requiring him to take steps to clean up the land and buildings when its condition adversely affects the amenity of the area. The steps required can include planting, clearance, tidying, enclosure, demolition, re-building, external repairs and repainting. The practice guide for this section recommends that the notice is served in support of negotiations with the owner and that a hardline approach intolerant of delay is taken.

Refusal to comply with the notice allows the authority to return to court and seek a conviction for non-compliance. The level of fine for a successful conviction is level three; approximately £1000. I understand that if the owner does not, as soon as possible, do everything in his powers to secure compliance he can be found guilty of a further offence and liable on summary conviction for a fine not exceeding one tenth of level 3 for each day following his first conviction.

The guide advises that LPAs have found that the prospect of conviction and having a criminal record has a salutary effect and can produce the desired outcome and that many apparently intractable cases have been solved at the last minute under threat of prosecution.

The same act in s219 gives the Authority to do the necessary works in default, but the guide advises that only 6-8% of these notices result in works in default, and there is normally a very noticeable ripple effect in the surrounding area and perhaps throughout the district as a result of the natural publicity and word of mouth comment

I have discussed the position with the enforcement officer and he will visit the property to assess whether the condition can properly be considered an amenity issue for neighbours and whether enforcement is appropriate

Road Signs at junction of Ravens Bank and Jiggles Gate

I have contacted the Highways Department and although there is no further information about the request for junction signs at this point, I am advised by Sue Cooper that "all is in hand" and a decision be made shortly.

Tree overgrowing road sign at the junction of Old Fen Dyke and Green Lane

I have contacted the Highways Department and although there is no further information about the request for junction signs at this point, I am advised by Sue Cooper that "all is in hand". The owner of the land on which the obscured sign stands has now received several letters. If no reply is forthcoming a final letter will be sent advising that Highways will carry out work to clear the obstruction and will charge the landowner.

Response by the South Holland District Council to the E A Shoreline Management Plan.

The consultation period finished on the 15<sup>th</sup> January 2010. I have asked the Head of Planning for a copy of the Council's response.