

PLANNING COMMITTEE	<u>Part One</u> (D)
Date of Meeting: 23rd May 2017	Urgent Item
Reporting Officer: Assistant Director of Regeneration and Community Services	
<p>Title: Poor condition of roof structure at former Dixons Bakery Michaelson Road</p> <p>Summary and Conclusions: In the absence of any positive response from the property owner to the concerns expressed by the Building Control officer a further option is the service of an Urgent Repairs Notice.</p> <p>Recommendations: Should voluntary action to repair the building not be forthcoming in a suitable timescale, then Members agree to authorise the service of an Urgent Repairs notice under S76 of the Planning (Listed Buildings & Conservation Areas) Act 1990</p>	

Report

This is being reported to Members as an urgent item due to concerns expressed by the Building Control Manager following public complaints of a potentially dangerous structure. Under the current Delegation agreement the decision whether to serve a notice must be made by Members.

Background

Following a complaint from a member of the public, the Borough Building Control manager has sought to engage with the property owner seeking voluntary action to repair a section of the decorative stone pediment at the front of the building. So far this has failed and the second alternative would be to serve a Dangerous Structures Notice under the Building Act. The Building Control manager has delegated powers to do this. This legislation is a somewhat blunt instrument and could be complied with by simply removing the dangerous section. However, guidance in the Building Act recommends that Authorities look at other legislation before taking such action, including considering alternative legislation, where the property is either listed or within a conservation area.

In this instance, the stone pediment is an important architectural feature on the building which is located in a prominent location within Barrow Island conservation area. An alternative would be to serve an Urgent Repairs Notice under s76 of the Planning (Listed Buildings & Conservation Areas) Act 1990, "the Act". This would be aimed at securing a localised repair of the pediment area rather than a full refurbishment of the building.

The building is not listed hence the procedure is for the Authority to approach the Secretary of State to authorise service. There is a minimum 7 day notice to enable the owner to carry out the works as scheduled after which the Authority can carry out the work and reclaim the costs from the owner.