

Report of	Meeting	Date
Director of Public Protection Streetscene and Community	Development Control Committee	26 May 2015

ENFORCEMENT ITEM
LAND AT SKEW BRIDGE BOLTON ROAD HEATH
CHARNOCK

PURPOSE OF REPORT

- To recommend action by the Council under Section 215 of the Town and Country Planning Act 1990.

RECOMMENDATION(S)

- That a Section 215 Notice be served on those persons with an interest in the land and any occupiers if appropriate in order to remedy the harm caused to the amenity of the area. The period for compliance shall be within 28 days of the date which the notice takes effect.

EXECUTIVE SUMMARY OF REPORT

- The issue for consideration in this case is whether the condition of the land adversely affects the amenity of the area and if so what steps are required for remedying the condition of the land. The appearance of the land has deteriorated and this has adversely affected the amenity of the area. It would be appropriate therefore for the Council to use its powers to remedy the harm caused.

Confidential report Please bold as appropriate	Yes	No

CORPORATE PRIORITIES

- This report relates to the following Strategic Objectives:

Involving residents in improving their local area and equality of access for all		A strong local economy	
Clean, safe and healthy communities	X	An ambitious council that does more to meet the needs of residents and the local area	X

BACKGROUND

- This report relates to an area of land lying between the A6 Bolton Road and the Leeds/Liverpool canal running between Skew Bridge to the north and Idle Bridge to the South. In May of last year I reported to Members that the appearance of land had deteriorated such that its condition adversely affected the amenity of the area. A

notice under Section 215 of the Town and Country Planning Act was served on the landowner in May 2014 who duly complied with the notice.

6. The land was being used as allotments however all tenants have now left the site and the land has been abandoned. As a result of the land being abandoned further complaints have been received concerning the unsightly appearance in which the land has been left. This includes the remains of sheds, tyres and an assortment of other items. The effect of this is that the condition of the land adversely affects the amenity of the area which is within the Green Belt and next to the A6 which is the one of the main routes into the Chorley. As such it is in a prominent location and viewed by visitors on a daily basis who pass the site travelling along the A6 and is also prominent to walkers from the canal side towpath and boaters who use the canal.
7. Section 215 of the Town and Country Planning Act 1990 allows local planning authorities to serve a notice as a means of remedying the unsightly nature of land which has an adverse effect on the amenity of the area and as previously the notice would require the removal of those items necessary to remedy that harm within 28 days of the date which the notice takes effect.

IMPLICATIONS OF REPORT

8. This report has implications in the following areas and the relevant Directors' comments are included:

Finance		Customer Services	
Human Resources		Equality and Diversity	
Legal		Integrated Impact Assessment required?	
No significant implications in this area	X	Policy and Communications	

COMMENTS OF THE STATUTORY FINANCE OFFICER

9. The costs of the initial enforcement action can be contained within current cash budgets.

COMMENTS OF THE MONITORING OFFICER

10. The minimum compliance period allowed under Section 215 of the Town and Country Planning Act 1990 is 28 days. The notice will be registered as a local land charge and binding on all future owners. The recipient has the right of appeal against the notice to the Magistrates' Court. Appeal grounds include that the requirements of the notice are excessive and/or that the compliance period is unreasonable. Failure to comply with the notice by the end of the compliance period may result in a criminal prosecution in the Magistrates' Court. The maximum fine is £1,000.

Jamie Carson

Director of Public Protection Streetscene and Community.

There are no background papers to this report.

Report Author	Ext	Date	Doc ID
Peter Willacy	5226	11 May 2015	***

