



MEETING : DEVELOPMENT CONTROL COMMITTEE
VENUE : COUNCIL CHAMBER, WALLFIELDS, HERTFORD
DATE : WEDNESDAY 15 DECEMBER 2010
TIME : 7.00 PM

PLEASE NOTE TIME AND VENUE

MEMBERS OF THE COMMITTEE:

Councillor W Ashley (Chairman).
Councillors M R Alexander, K A Barnes, S A Bull, A L Burlton,
Mrs R F Cheswright, R N Copping, J Demonti, R Gilbert,
Mrs M H Goldspink, G E Lawrence, D A A Peek, S Rutland-Barsby
(Vice-Chairman), J J Taylor, R I Taylor and B M Wrangles.

Substitutes:

Conservative Group: Councillors D Andrews, P A Ruffles and
A L Warman.
Liberal Democrat Group: Councillor M Wood.
Independent Group: Vacancy.

I attach, for your attention, a copy of a report, which the Chairman has agreed to accept onto the agenda as an urgent item for the above meeting. Please bring these papers with you to the meeting on Wednesday.

(Note: Substitution arrangements must be notified by the absent Member to Democratic Services 24 hours before the meeting).

CONTACT OFFICER: PETER MANNINGS
(01279) 502174

PERSONAL AND PREJUDICIAL INTERESTS

1. A Member with a personal interest in any business of the Council who attends a meeting of the Authority at which the business is considered must, with certain specified exemptions (see section 5 below), disclose to that meeting the existence and nature of that interest prior to the commencement of it being considered or when the interest becomes apparent.
2. Members should decide whether or not they have a personal interest in any matter under discussion at a meeting. If a Member decides they have a personal interest then they must also consider whether that personal interest is also prejudicial.
3. A personal interest is either an interest, as prescribed, that you must register under relevant regulations or it is an interest that is not registrable but where the well-being or financial position of you, members of your family, or people with whom you have a close association, is likely to be affected by the business of the Council more than it would affect the majority of inhabitants of the ward(s) affected by the decision.
4. Members with personal interests, having declared the nature of that personal interest, can remain in the meeting, speak and vote on the matter unless the personal interest is also a prejudicial interest.
5. An exemption to declaring a personal interest applies when the interest arises solely from a Member's membership of or position of general control or management on:
 - any other body to which they have been appointed or nominated by the authority
 - any other body exercising functions of a public nature (e.g another local authority)

In these exceptional cases, provided a Member does not have a prejudicial interest, they only need to declare their interest if they speak. If a Member does not want to speak to the meeting, they may still vote on the matter without making a declaration.

6. A personal interest will also be a prejudicial interest in a matter if all of the following conditions are met:
 - the matter does not fall within one of the exempt categories of decisions
 - the matter affects your financial interests or relates to a licensing or regulatory matter
 - a member of the public, who knows the relevant facts, would reasonably think your personal interest is so significant that it is likely to prejudice your judgement of the public interest.

7. Exempt categories of decisions are:
 - setting council tax
 - any ceremonial honour given to Members
 - an allowance, payment or indemnity for Members
 - statutory sick pay
 - school meals or school transport and travelling expenses: if you are a parent or guardian of a child in full-time education or you are a parent governor, unless it relates particularly to the school your child attends
 - housing; if you hold a tenancy or lease with the Council, as long as the matter does not relate to your particular tenancy or lease.

8. If you have a prejudicial interest in a matter being discussed at a meeting, you must declare that interest and its nature as soon as the interest becomes apparent to you.

9. If you have declared a personal and prejudicial interest, you must leave the room, unless members of the public are allowed to make representations, give evidence or answer questions about the matter, by statutory right or otherwise. If that is the case, you can also attend the meeting for that purpose. However, you must immediately leave the room once you have finished or when the meeting decides that you have finished (if that is earlier). You cannot remain in the public gallery to observe proceedings.

AGENDA

- (P) E/10/0416/A - Urgent repairs to a Grade II* Listed Building at 30 High Street, Bishop's Stortford. (Pages 5 - 10).

5p E/10/0416/A – Urgent works to a Grade II* Listed Building at 30 High Street, Bishops Stortford, Herts, CM23 2LX

Parish: BISHOPS STORTFORD

Ward: BISHOPS STORTFORD - CENTRAL

RECOMMENDATION

That the Director of Neighbourhood Services, in consultation with the Director of Internal Services, be authorised to serve an Urgent Works notice under Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and any such further steps as may be required to secure the implementation of urgent works required in order to protect the building from further decline.

Period for compliance: 14 Days.

Reason why it is expedient to issue an Urgent Works notice:

The exposed condition of parts of the building is damaging to its historic fabric and threatens its long term retention. The building is at such risk from further decline that, should the owner fail to comply with the Notice, the Council will be required to carry out works in default.

1.0 Background

- 1.1 The site is shown on the attached Ordnance Survey extract. It is located on the north side of High Street and comprises an impressive Grade II* listed building dating from the C15 occupying a prominent and sensitive location within the High Street, which in itself is central to the town's Conservation Area.
- 1.2 The Council has been aware of a decline in the condition of the building for some time and a recent inspection has revealed that the building is in need of urgent repairs in some areas in order to ensure that it is weather tight. The owner has been made aware of the Council's concerns in this respect but, to date, no response has been received and no action taken to secure the necessary works to the building. Parts of the building are, as a result, left open to the elements; exposing parts of the original timber frame and allowing damaging water penetration into the structure. Urgent works are therefore required to the damaged render on the front elevation and to the damaged weatherboarding on the side elevation.

1.3 The cement render to the front elevation of the building along with the weather boarding to the side elevation is in a poor condition and has, in a number of places, broken away from the building exposing the original timber stud work and the internal lathes and plaster. Due to the missing render and weatherboard the weather is now considered to be affecting the timber stud work which will progressively lead to further damp and damage to the internal structure of the building.

2.0 Considerations.

2.1 Section 54 of the Planning (Listed Buildings and Conservation Areas) Act 1990 enables local authorities to serve Urgent Works Notices for the preservation of listed buildings. These powers are confined to emergency repairs, for example, to keep the building wind and weatherproof and safe from collapse.

2.2 The procedure involves the Council serving notice that it intends to do the Urgent Works within a fixed period, giving the owner seven days' notice that the works are to be carried out. This provides an opportunity for the owner to negotiate with the Council to carry out the works himself. Failure to complete the works within a specified timescale can result in a Notice from the Council with formal indication of its intention to do the work.

2.3 The steps specified in the Notice should be the minimum necessary to secure the safety and preservation of the building and should not involve the owner in great expense. If the Council carries out the work, then it can recover the cost from the owner.

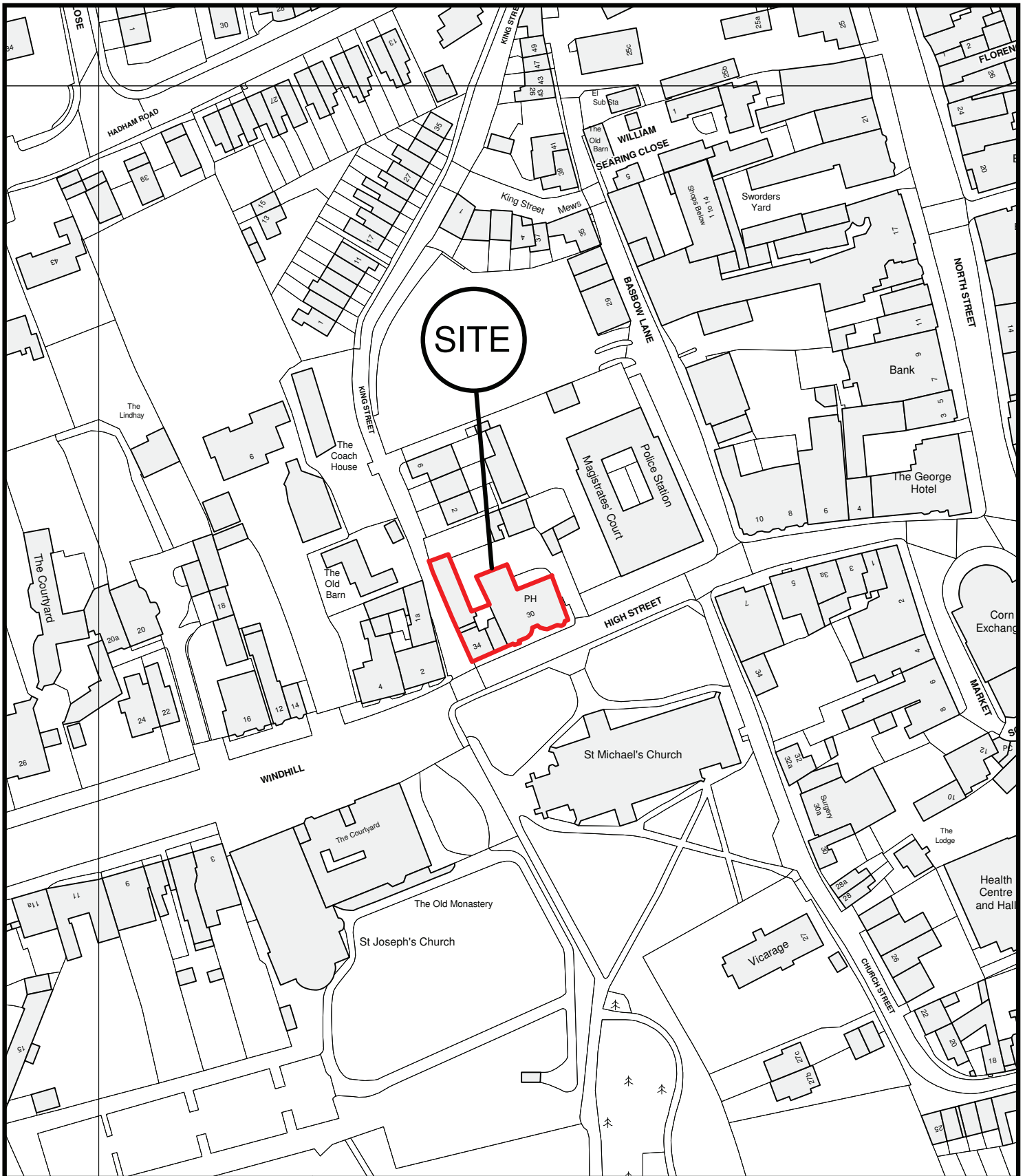
2.4 In this case, the required works will be specified in detail on the Notice, in consultation with the Council's Conservation Officer. The works are likely to involve replacing elements of the weatherboarding to the side of the building and boarding over and weatherproofing the existing damaged areas of render on the front elevation.

2.5 These works are considered to be the minimum necessary to secure the proper preservation of the building and would not involve great expense for the site owner. Should the Council need to carry out the works itself, in default of the Notice, then these expenses can be reclaimed from the owner of the land.

3.0 Recommendation

- 3.1 For the above reasons therefore, it is recommended that authorisation be given to issue and serve an Urgent Works Notice requiring temporary works (to be specified in consultation with the Council's Conservation Officer) to be carried out to ensure that the affected areas of the front and side elevations of the building are secured and weather tight.

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