

18 December 2014

**Name of Cabinet Member:**  
Cabinet Member for Policing and Equalities - Councillor Townshend

**Director Approving Submission of the report:**  
Executive Director of People

**Ward(s) affected:**  
Earlsdon

**Title:**  
Update report in response to a petition concerning a property in Earlsdon Ward

---

**Is this a key decision?**  
*No*

---

**Executive Summary:**

This report provides an update on actions taken since the Cabinet Member meeting on 2 October 2014 in response to a petition received on 3 July 2014. The petition was signed by 71 individuals in the Earlsdon Ward and asked the City Council to take action regarding the poor condition of a property in the Earlsdon Ward and the impact it is having on the surrounding neighbourhood.

**Recommendations:**

The Cabinet Member is recommended to:

- (1) Endorse the action already taken and planned to address the conditions at this property.
- (2) Request a further report to be submitted to the Cabinet Member on 26 March 2015 detailing progress made on resolving the issues.

**List of Appendices included:**  
None

**Other useful background papers:**  
None

**Has it been or will it be considered by Scrutiny?**  
No

**Has it been or will it be considered by any other Council Committee, Advisory Panel or other body?**

No

**Will this report go to Council?**

No

Page 3 onwards

**Report title:**

Report in response to a petition concerning a property in Earlsdon Ward

**1. Context (or background)**

- 1.1 A resident-led petition consisting of 71 signatures was received on 3 July 2014 requesting the City Council to take action in relation to concerns regarding the poor condition of a property in the Earlsdon Ward
- 1.2 Cabinet Member has previously endorsed action taken thus far i.e. service of a statutory notice under Section 215 of The Town & Country Planning Act requiring the owner to carry out improvements to his property. In addition, the Cabinet Member also made the following recommendations:
  - (1) That any appeal against the Section 215 Notice should be opposed,
  - (2) That a legal opinion be sought regarding any other courses of action available to the Council such as injunction/legal proceedings to address the issue.

**2. Options considered and recommended proposal**

- 2.1 **Officers to oppose any appeal in relation to the Notice served.** The Section 215 Notice was served by Officers on 3 September 2014 and as no appeal was lodged, the Notice took effect on 5 November 2014 and requires compliance within four months from this date.
- 2.2 **Legal opinion regarding additional measures.** A legal opinion was sought regarding what other courses of action might be available to the Council. On the basis that the neighbours' objection is to the appearance of the property and that there does not seem to be a legal nuisance involved, a S.215 Notice is the appropriate approach at this time.
- 2.3 **Recommendations.** Cabinet Member is recommended to request a further report on 26 March 2015 detailing progress made on resolving the issues at this property.

**3. Results of consultation undertaken**  
None

**4. Timetable for implementing this decision**

The Section 215 Notice was served by Officers on 3 September 2014, and requires compliance by the 5 March 2015.

**5. Comments from Executive Director, Resources**

In the event of non-compliance of any Notices served, there will be a financial implication with regard to the authorisation of legal proceedings and any works in default carried out by the Council. The potential extent of this is difficult to predict,

depending on the outcome, any appeal etc. However, full regard will be made to the Code for Crown Prosecutors, issued by the Director of Public Prosecutions. The cost of any potential prosecution and 'works in default' will be paid from within existing budgets and will be subject to usual practice in order to recover the same from the appropriate person.

**6. Other implications**

None

**6.1.1 How will this contribute to achievement of the Council's key objectives / corporate priorities (corporate plan/scorecard) / organisational blueprint / Local Area Agreement (or Coventry Sustainable Community Strategy)?**

6.1.2 There are clear research findings that show that the local environmental quality in a person's living environment has a significant impact on their health and well-being. Residents in areas which have a low environmental quality often have an increased "fear of crime". This particular service contributes to two of the Council's key objectives.

**6.2 How is risk being managed?**

None

**6.3 What is the impact on the organisation?**

None

**6.4 Equalities / EIA**

None

**6.5 Implications for (or impact on) the environment**

See 6.1.1

**6.6 Implications for partner organisations?**

None

**Report author(s): Steve Chantler**

**Name and job title: Senior Environment and Housing Enforcement Officer**  
**Directorate: People Directorate**

**Tel and email contact: 024 76 83 2966**  
**steve.chantler@coventry.gov.uk**

Enquiries should be directed to the above person.

<b>Contributor/approver name</b>	<b>Title</b>	<b>Directorate or organisation</b>	<b>Date doc sent out</b>	<b>Date response received or approved</b>
<b>Contributors:</b>				
Simon Brake	Assistant Director Communities & Health	People Directorate	17.11.14	18.11.14
Craig Hickin	Head of Environmental Services	People Directorate	17.11.14	17.11.14
Phil Hibberd	Pest Control and Animal Welfare Officer	People Directorate	17.11.14	20/11/14
Liam Nagle	Offender Management Strategic Officer	People Directorate	17.11.14	19/11/14
Marcus Fothergill	Principal Planning Officer	Place Directorate	17.11.14	18/11/14
Usha Patel	Governance Services Officer	Resources Directorate	17.11.14	17/11/14
<b>Names of approvers for submission: (officers and members)</b>				
Finance: Diane Jones	Business Partner	Resources Directorate	17.11.14	
Legal: Andrew Burton	Solicitor	Resources Directorate	18.11.14	18.11.14
Director: Sara Roach for Brian Walsh	Deputy Director	People Directorate	17.11.14	24/11/14
Members: Councillor Phillip Townshend	Deputy Leader	Policing and Equalities	17.11.14	25.11.14

This report is published on the Council's website:  
[www.coventry.gov.uk/councilmeetings](http://www.coventry.gov.uk/councilmeetings)