



MINUTES OF A CABINET MEETING
Council Chamber - Town Hall
Wednesday, 11 December 2013
(7.30 - 7.40 pm)

Present:

Councillor Michael White (Leader of the Council), Chairman

Councillor Steven Kelly (Vice-Chair)

Councillor Michael Armstrong

Councillor Robert Benham

Councillor Roger Ramsey

Councillor Paul Rochford

Councillor Geoffrey Starns

Councillor Lesley Kelly

Cabinet Member responsibility:

(Deputy Leader) Individuals

Transformation

Community Empowerment

Value

Children & Learning

Community Safety

Housing & Public Protection

Apologies were received for the absence of Councillors Andrew Curtin and Barry Tebbutt.

Councillors Clarence Barrett, Paul McGeary, Pat Murray and Lawrence Webb were present for the meeting.

3 Members of the public were also in attendance.

There were no disclosures of pecuniary interest.

The Chairman announced the evacuation procedures in the event of an emergency

99 **MINUTES**

The Minutes of the meeting of Cabinet held on 20 November 2013 were agreed as a true record and signed by the Chairman.

100 **PROPOSALS FOR BUSINESS AND EMPLOYMENT USES WITHIN INDUSTRIAL AREAS**

The report sought Member approval for a non-statutory Planning Advice Note which would set out the key considerations that would be taken into

account when determining planning applications for (non-industrial) business and employment uses within the Borough's Industrial Areas.

The purpose of the note would be to demonstrate the Council's 'in principle' commitment to responding positively to proposals which had the potential to grow the Havering economy.

The report made clear that the policies of the Havering Local Development Framework would continue to provide the formal policy context for the consideration of such proposals and would retain the statutory pre-eminence afforded by Section 38(6) of the Planning and Compulsory Purchase Act 2004.

Reasons for the decision:

To set out the type of evidence that might be considered in respect of proposals in designated industrial areas and to reflect Havering's broad support for measures that promoted economic growth.

To assist officers and Regulatory Service Members when considering applications for non-industrial business uses within designated industrial areas by clearly setting out the considerations that might be taken into account.

Other options considered:

The option of continuing to apply the Council's planning policies as set out in the Local Development Framework and London Plan without the additional Advice Note had been rejected as it might have had an adverse impact on business growth in Havering for the reasons which have been set out in the report. The adoption of the Advice Note would enable the Council to demonstrate its commitment to a prosperous local economy more quickly than formal alteration to the Local Development Framework.

Cabinet:

- 1 **Approved** the Planning Advice Note (as set out in Appendix 1) for use by the Regulatory Services Committee as 'good practice' guidance to demonstrate the Council's commitment to economic growth;
- 2 **Approved** publication of the Note on the Council's website; and
- 3 Notwithstanding (1) and (2), recognised that the current national planning legislation would continue to afford the policies in the Havering Local Development Framework (as the statutory Development Plan) greater weight than the Advice Note in the formal planning decision-making process.

101 **COMPULSORY PURCHASE ORDER**

The report sought permission to proceed with the making of a Compulsory Purchase Order (CPO) in relation to selected empty properties across the Borough, as part of the empty property enforcement programme.

This approach was in accordance with the aims agreed by Members when approving the Empty Homes Strategy 2009-2012 at Cabinet on 18th November 2009 and most recently the 2013–16 Draft Housing Strategy at Cabinet on 16th October 2013.

The Housing Needs and Strategy section of Homes and Housing dealt with empty properties in the Borough. Five properties had been identified by Council officers as being high risk, long term empty properties.

In each of the cases described in the report, negotiations between Officers and the property owners had failed to return the properties to occupation.

Officers now considered that making a CPO over each of the properties listed below was the most appropriate and expedient method of bringing those properties back into occupation:

- (a) 11 Wolseley Road, Romford
- (b) 82 Ravensbourne Crescent, Harold Wood
- (c) 106 Frederick Road, Rainham
- (d) 78 Winchester Avenue, Upminster
- (e) 58 Dominion Drive, Romford

With regard to empty properties (d) and (e) above which were originally submitted to Cabinet on 10th July 2010 and approved for CPO, officers felt that because there had been changes to the properties which still remained empty, it would be appropriate to seek the Cabinet's further approval to pursue CPOs against these two properties.

The details of the correspondence and interactions with the individuals involved were included in Exempt Appendices. The reason why the Appendices were exempt was that they included confidential details of individuals.

Reasons for the decision:

All attempts to bring the subject properties back into occupation by working cooperatively with the owners had failed.

Other options considered:

Empty Dwelling Management Orders (EDMOs) were considered, however they were not suitable because the owners of the properties had not cooperated with the Council's efforts to have the properties reoccupied.

Many of the properties require extensive work and under an EDMO, the Council would recover the costs of any works undertaken by letting the properties. Given that most of these properties required significant work; there would be a lengthy delay before the cost of the works could be fully recovered and the use of EDMOs in the actions detailed above was therefore considered unfeasible.

Cabinet **agreed** that:

- 1 Approval be given to the making of the following Compulsory Purchase Orders in accordance with section 17 of the Housing Act 1985 and the Acquisition of Land Act 1981 to acquire all legal interests in the relevant properties:
 - (a) London Borough of Havering (11 Wolseley Road) Compulsory Purchase Order 2013
 - (b) London Borough of Havering (82 Ravensbourne Crescent) Compulsory Purchase Order 2013
 - (c) London Borough of Havering (106 Frederick Road) Compulsory Purchase Order 2013
 - (d) London Borough of Havering (78 Winchester Avenue) Compulsory Purchase Order 2013-10-16
 - (e) London Borough of Havering (58 Dominion Drive) Compulsory Purchase Order
- 2 In relation to each of Compulsory Purchase Orders authorised by paragraph 1 above, **authorised** the Assistant Chief Executive, Legal and Democratic Services to alter the Compulsory Purchase Order so as to exclude any land/interests acquired prior to the sealing of the Order.
- 3 In relation to each of Compulsory Purchase Orders authorised by paragraph 1 above, **authorised** the Assistant Chief Executive, Legal and Democratic Services to seal the Order and take all necessary steps, including the publication of all statutory notices to secure confirmation of the Order.
- 4 In relation to each of the Compulsory Purchase Orders authorised by paragraph 1 above, **authorised** the Assistant Chief Executive, Legal and Democratic Services (in the event that the Secretary of State notifying the Council that it had been given the power to confirm any of the Compulsory Purchase Orders) to confirm the Order and take all steps necessary to secure possession of the property, including the making of a General Vesting Declaration if he or she was satisfied that it was appropriate to do so.

- 5 In relation to each of the Compulsory Purchase Orders authorised by paragraph 1 above, **authorised** the Assistant Chief Executive, Legal and Democratic Services to suspend the Compulsory Purchase procedure if the Private Sector Housing Manager, Homes & Housing was able to reach an agreement with Owners of these properties with regard to repair, refurbishment and reoccupation of any of the properties.

Chairman