

## **EAST LINDSEY DISTRICT COUNCIL DECISION NOTICE**

1. Decision to be taken: To initiate enforced sale proceedings for land at Shangri-La (a dwelling that has been demolished), St. Michaels Lane, Wainfleet St. Mary.
2. This is a Portfolio Holder supported officer decision.
3. The following is the decision making body or person:  
  
Jo Parker – Principal Enforcement Officer.
4. Financial implications from this decision have been communicated to the Portfolio Holder and Chief Executive? Yes
5. The decision was taken on: 08 March 2019.
6. Contact Officer and details: Jo Parker, Principal Planning Enforcement Officer. Planning Enforcement. Tel 01507 613555.
7. List of documents submitted for consideration in relation to the matter in respect of which the decision is to be made: Confidential enforcement file, EC/195/789/15
8. Where the documents are held and where they can be obtained from (except exempt items) when they become available: Full enforcement file can be viewed in the Enforcement Office.
9. The reason for the decision and other alternative options considered and rejected:

The Council have issued a Section 215 Notice on 1<sup>ST</sup> March 2016 for the property being untidy and unsafe. The Notice was not complied with and the Council took direct action on 6<sup>th</sup> March 2018 to demolish the property, in accordance with the requirements of the Notice.

The cost of the direct action was £19,110.40. This was placed as a charge on the land as it will remain so until it is paid in full. Until it is paid the charge will continue to accumulate interest at the HMRC national rate.

In this case, no owner can be traced and it is unlikely the charge will be settled. Whilst the property was empty and the land is vacant, the Council can commence the enforced sale proceedings.

Alternative action would be for the Council to leave the charge placed on the land, but as no owner can be traced, it is likely that none of the monies relating to the charge will be settled.

Decision Notice Form (ExD2)

As the land is a vacant plot, which is fairly small in size, it is unlikely to be valued at the total amount owed for direct action. However, if selling the land some of the monies owed can be re-cooperated.

Given all of the above, it is proposed to initiate the enforced sale process in the interest of the Council to prevent further cost from being incurred, and in the interest of public amenity and public interest.

10. Declaration of any conflicts of interest of the decision making body or the individual:

None

11. Provide a note of any subsequent dispensations granted by the Head of Paid service:

**Financial Implications of this Decision:-**

Estimated cost: - The cost associated with the legal process to enforce the sale has not been provided at this stage. However, all legal costs will be settled in full from the money acquired via the sale of the property. It is therefore cost neutral. LSL will be instructed to deal with this.

Funded from:- Existing legal services budget

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**N.B.** Please enter names below, signatures will be retained as a hard copy and will not be published therefore should be provided on page 3 of this form:

**Date:** 25.2.19

**13. This decision has been signed off by:**

**(Signatures should be provided on page 3)**

**Head of Paid Service/S151 Officer or person presiding**

**Mr. R. Barlow. S151 Officer/Acting Chief Executive**

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**Leader/Officer:**

**Jo Parker. Principal Enforcement Officer**

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**Portfolio Holder:**

**Cllr. T. Ashton. Built Environment Portfolio Holder**

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