

Sensitive:

Amenity :Town and Country Planning Act 1990 and other Legislation: Blight Notice Town and Country Planning Act 1990?

Blight Notice: To Dean Hermitage Head of Planning

I Ben Deane – Bowers on behalf of some of the ground floor leaseholders at Manor Road Stansted Mountfitchet CM248NL and other Residents on Manor Road

HEREBY GIVE YOU NOTICE Extension of previous Section 79(1a) a) *any premises in such a state as to be prejudicial to health or a nuisance*; and 82(2) to cover certainly 4 of the 5 blocks premises 82(3) *unfit for human habitation* 82(4)(b) *where the nuisance arises from any defect of a structural character, against the owner of the premises* similar to section 1(5) of the Housing Act 2004; other general S79(h) nuisances *likely to reoccur* (domestic waste accumulation, fly tipping, rats and foxes, pet faeces, Ivy creep, bramble nuisances, dilapidated fences, gutter and drainage problems) of EPA 1990

Previous past failures for Authority to implement *its duty of every local authority to cause its area to be inspected from time to time to detect any statutory nuisances* either via in house building services inspectors, environmental health and UDC's estate maintenance contractors and building maintenance Norse) similar to section 3(1) of the Housing Act 2004. *Failure to notify that the other buildings (if any) in the area are dangerous or harmful to the health or safety of the inhabitants of the area*) Section 289(2(b) of the Housing Act 1985 (Slum clearance area) section 7(2(e) of the Housing Act 2004 *where action taken so far has not proved satisfactory*.

Section 13 &14 of the Interpretation Act 1978 under section 215 of the Town and Country Planning Act 1990 ("the Act") as follows:

79(1) b The Buildings Act 1984 (dilapidated buildings and neglected sites, *If it appears to a local authority that a building or structure is by reason of its ruinous or dilapidated condition seriously detrimental to the amenities of the neighbourhood, the local authority may by notice require the owner thereof: if he so elects, to take such steps for demolishing the building or structure....as may be necessary in the interests of amenity.*

Section 239 Declaration of housing action area:

1. *Where a report with respect to an area within their district consisting primarily of housing accommodation is submitted to the local housing authority by a person appearing to the authority to be suitably qualified (who may be an officer of the authority), and the authority, upon consideration of the report and of any other information in their possession, are satisfied, having regard to... the physical state of the housing accommodation in the area as a whole, and*

The whole Mountfitchet Estate is quite jaded as it was built in the mid 50's, Manor Road.

b) *social conditions in the area,*

See reports from Cheke and Co April 2024 as well as Mr Bowers May 2024

That the requirement mentioned in subsection (2) is fulfilled with respect to the area, they may cause the area to be defined on a map and by resolution declare it to be a housing action area.

- 2 The requirement is that the living conditions in the area are unsatisfactory and can most effectively be dealt with within a period of five years so as to secure—
 - (a) the improvement of the housing accommodation in the area as a whole,
 - (b) the well-being of the persons for the time being resident in the area, and
 - (c) the proper and effective management and use of that accommodation, by declaring the area to be a housing action area.
- 3 In considering whether to take action under this section the local housing authority shall have regard to such guidance as may from time to time be given by the Secretary of State, either generally or with respect to a particular authority or description of authority or in any particular case, with regard to the identification of areas suitable to be declared housing action areas.
- 4 An area which is declared to be a housing action area shall be such an area for the period of five years . . . **F1**, subject to—
 - (a) section 241(2)(a) (power of Secretary of State to overrule declaration),
 - (b) section 250(1)(b) (power of local housing authority to terminate housing action area), and
 - (c) section 251 (extension of duration of housing action area).
- 5 A resolution declaring an area to be a housing action area is a local land charge.

215 Power to require proper maintenance of land.

*(1) If it appears to the local planning authority that the **amenity of a part of their area**, or of an adjoining area, is adversely affected by the condition of land in their area, they may serve on the owner and occupier of the land a notice under this section.*

(2) The notice shall require such steps for remedying the condition of the land as may be specified in the notice to be taken within such period as may be so specified.

(3) Subject to the following provisions of this Chapter, the notice shall take effect at the end of such period as may be specified in the notice.

(4) That period shall not be less than 28 days after the service of the notice.

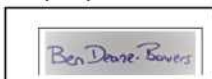
The measure does not tackle the overall amenity (curb appeal), estate maintenance (severley lacking over the years), bins, the outhouses (rats) fly-tipping and up keep of gardens.

The design of the buildings have probably run their course as they should have been designed in reverse with the larger units below rather than above regarding noise control and usage of Gardens etc. Some of the GF flats do not meet the Decent Home Standard on Kitchen size.

1. That ground floor properties are blighted in 5 buildings built in the 50's due to decays and design build flaws (rear terrace/roofs insulated a U value 1.15W/K by 15 or more years of ingress and condensation leading to damp and mould. General neglect of the estate maintenance as well within section 215 of the TCPA 1990 paragraph and procure back the lease at remedy compensation inflated market value under sections (9(1) (2) 3() 13(1) Provision of open spaces and development generally of the Housing Act 1985.
2. Protracted 12 years of complaints from several parties Social Regulation Act 2023 changes has it come to pass that there are long standing health issues council members were aware of for up to 20 years but there has been no feasibility exercise to knock down the 5 buildings as without central government assistance that CMT staff omitted or dismissed without investigating.

Trust, good faith has been diminished between Freeholder and Mortgage Company so I therefore require you to purchase my interest in £320,000 to redeem the mortgage charge asap . Please respond in 15 days

Dated ...20/09/2024.....



Past nuisances abated by Mr Bowers clearance and restoration compensation not agreed by UDC





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