

---

## **PARTIAL DETERMINATION OF CLOSING ORDER – WHITE LODGE, BEKE HALL CHASE (NORTH), RAYLEIGH**

### **1 SUMMARY**

- 1.1 The purposes of this report is to consider a request from the owner of 'White Lodge', Beke Hall Chase (North), Rayleigh for partial determination of the Closing Order on the property.
- 1.2 The report recommends that the request be agreed.

### **2 INTRODUCTION**

- 2.1 On 20 August 1990 the Council made a Demolition Order on 'White Lodge', Beke Hall Chase (North), Rayleigh as it was unfit for human habitation under the provisions the Housing Act 1985 section 604 (the fitness standard).
- 2.2 Following representations made by the owner, the Council substituted this with a Closing Order dated 10 December 1990. This Closing Order prohibits the use of the house for any purpose other than the storage of personal effects and furniture belonging to the owner.
- 2.3 The Housing Act 2004 replaced the fitness standard with the Housing Health and Safety Rating System (HHSRS). Transitional arrangements are in place to deal with properties previously dealt with under the fitness standard.

### **3 UPDATE**

- 3.1 The current owner of the property has carried out repairs to the rear rooms of the ground floor and fitted a bathroom and kitchen. These rooms comply with the 1985 fitness standard and there are no Category 1 Hazards under the HHSRS. The windows to the rear rooms of the ground floor were installed prior to the current owner purchasing the property four years ago. Electrical work was carried out before certification was required under part P of the Building Regulations. Building Control has confirmed that building regulation approval is not required for the works that have been carried out. A plan of the premises is attached (Appendix A).
- 3.2 The remaining rooms; the ground floor front room left, the ground floor front room middle and the ground floor front room right and the room on the first floor have not been repaired and have been boarded up to prevent access.
- 3.3 The owner intends to carry out the necessary works to the remaining rooms so that the Closing Order can be determined in on the whole property. In the meantime he has requested that the Order be determined in respect of the area made fit so that he can move in. This will enable him to save costs on private rented accommodation thereby allowing the works to be completed sooner.

- 3.4 The owner's request is considered reasonable.
- 3.5 In the event the request is agreed the Closing Order will remain in force in respect of the remaining rooms.

#### **4 LEGAL IMPLICATIONS**

- 4.1 The owner of the property has the right to appeal to the County Court if a Housing Authority refuse to lift or to partially lift the Closing Order.

#### **5 PARISH IMPLICATIONS**

- 5.1 'White Lodge', Beke Hall Chase (North) is in the parish of Rawreth.

#### **6 RECOMMENDATION**

- 6.1 It is proposed that the Executive Board **RESOLVES**

That the Closing Order in respect of White Lodge, Beke Hall Chase North, Raleigh, be determined in respect of that part of the property which has been rendered fit for human habitation comprising the ground floor back room left; the ground floor back room middle (the kitchen); the ground floor back room right; the ground floor back extension (the bathroom) and the hallway.

Jeremy Bourne

Head of Community Services

---

#### **Background Papers:-**

None

For further information please contact Ms C Collom on:-

Tel:- 01702 318146

E-Mail:- caroline.collom@rochford.gov.uk

If you would like this report in large print, braille or another language please contact 01702 546366.