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**Report to Members relating to the current position of the Councils Enforcement Service**      **Location:** Borough Wide

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**Report of:** The Head of Planning Legal and Democratic Services      **Status:** For Publication

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**Report to:** Development Control Committee      **Date:** 5th December 2006

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## 1. PURPOSE OF THE REPORT

- 1.1. To inform Committee members of the current position with the Council's Enforcement service. As part of the Councils improvements to the Development Control Service the Councils Head of Planning Legal and Democratic services agreed with the Portfolio Holder for Spatial Development that it would be useful for members to be made aware of the number of enforcement matters, the stage of the enforcement action and details of any appeals / court hearings pending.

## 2. RECOMMENDATIONS

- 2.1. That the report be noted.
- 2.2 That members decide how often they would wish to see this report.

## 3. REPORT AND REASONS FOR RECOMMENDATIONS

- 3.1 It is considered important that members are made aware of enforcement action taken. The Development Control Service recruited a Senior Planning Officer in July 2006 with direct line management responsibility for planning enforcement. This has resulted in improvements to the way that we deal with enforcement action. A file management system has been introduced.
- 3.2 The Council also contracted the services of Urban Vision to support the Development Control Planning Enforcement service three months ago. The service has been provided by an experienced planning enforcement officer. Regular meetings take place between the Senior planning officers and the enforcement staff to ensure matters are prioritised and relevant action taken.

For Members information, the service has undertaken the following:

- a) Registered 80 complaints from since 28<sup>th</sup> June 2006.

- b) Served 4 enforcement notices since 28<sup>th</sup> June 2006
- c) Closed 17 cases since 28<sup>th</sup> June 2006.

3.3 Legal Services have devised an enforcement instructions pack which all enforcement officers use. This enables enforcement notices to be issued and served in a timely manner. Monthly enforcement meetings have been set up between Legal Services and planning enforcement. Legal services agree to draft and issue notices within 15 working days of receipt of instructions. By agreeing time limits we can manage expectations and improve service delivery.

Enforcement Notices Served:

Address of the property and type of notice served	Date instructions sent to Legal services	Date the notice was served	Date for compliance	Breach of planning control referred to in the notice
17 Union Road, Ratenstall  Enforcement Notice	5/9/06	11/9/06	56 days from 15/11/06(date notice takes effect)	Unauthorised erection of a garage
Land bounded by Thorn Drive and Hawthorne Road, Bacup  Enforcement Notice	24/10/06	30/10/06	28 days from 4/12/06(date notice takes effect)	Unauthorised siting of a compound
Land situated between Sales's Lane and Crosten Close Road, Walmersley.  Temporary Stop Notice	15/11/06	15/11/06	Notice takes effect on the 15/11/06 and will cease to have effect on the 15/12/06 after which a permanent notice shall be served	Unauthorised engineering operation / access Road
2, Lee Road, Stacksteads, Bacup.  Enforcement Notice	24/10/06	22/11/06	28 days from 22/12/06(date notice takes effect)	Unauthorised change of use from communal drying recreational area to residential curtilage.

**4. WARDS AFFECTED**

4.1. Borough wide.

**5. CONSULTATIONS**

5.1. None necessary.

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