

<b>Subject:</b>	Quarter 2 planning enforcement update	<b>Status:</b>	For Publication
<b>Report to:</b>	Development Control Committee	<b>Date:</b>	20 <sup>th</sup> November 2012
<b>Report of:</b>	Director of Business	<b>Portfolio Holder:</b>	Environmental Services
<b>Key Decision:</b>	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	<b>General Exception</b>	<input type="checkbox"/> <b>Special Urgency</b> <input type="checkbox"/>
<b>Community Impact Assessment:</b>	Required:	No	Attached: No
<b>Biodiversity Impact Assessment</b>	Required:	No	Attached: No
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1.	<b>RECOMMENDATION(S)</b>
1.1	Members are advised to note the report contents.

## 2. PURPOSE OF REPORT

- 2.1 To provide elected members with an update on current planning enforcement action. This report will focus on updating members with the details relating to the current number of open planning enforcement files, the different stages of any enforcement action paying particular attention to any details relating to enforcement notices issued and appeals.

## 3. CORPORATE PRIORITIES

- 3.1 The matters discussed in this report impact directly on the following corporate priorities:
- **A clean and green Rossendale** – creating a better environment for all.
  - **A healthy and successful Rossendale** – supporting vibrant communities and a strong economy.
  - **Responsive and value for money local services** – responding to and meeting the different needs of customers and improving the cost effectiveness of services.

## 4. RISK ASSESSMENT IMPLICATIONS

- 4.1 All the issues raised and the recommendation(s) in this report involve risk considerations as set out below:
- The Council has a statutory duty to enforce planning contraventions. Failure to regulate in this area will likely result in lack of confidence in the Development Control Service.

## 5. BACKGROUND AND OPTIONS

- 5.1 The Council's Planning Enforcement Policy is currently out to a three month public consultation, which runs from 27<sup>th</sup> September to 27<sup>th</sup> December 2012. Following consultation, the policy will be taken to Policy Overview and Scrutiny and Development Control Committee in February and to Cabinet for approval in March. Once adopted the policy will be in place for 5 years.
- 5.3 The details in this report cover the period 1<sup>st</sup> July 2012 to 30<sup>th</sup> September 2012.
- 5.4 It is intended to produce a report at the end of each quarter.

- 5.5 Members are to note that there are a number of open complaints about potential breaches of Planning Regulations from previous months and years relating to contraventions of planning control. The numbers of ongoing complaints at 30<sup>th</sup> September 2012 is 152. The figures for the previous periods are:
- Quarter 2 of 2011 – 160 open investigations
  - Quarter 3 of 2011 – 158 open investigations
  - Quarter 4 of 2011 – 179 open investigations
  - Quarter 1 of 2012 – 199 open investigations
- 5.7 During quarter 2, 57 complaints have been received and 73 complaints have been closed.
- 5.8 Members are further advised that there are a number of enforcement notices currently in force from previous months.
- 5.9 During this period, 7 Enforcement Notices and 2 Breach of Condition Notices were issued. The details of the ongoing notices can be found at [Appendix A](#).
- 5.10 One appeal decision was received during Quarter 2 of 2012-13 from the Planning Inspectorate in which the appeal was dismissed. Further details can be found in [Appendix B](#).
- 5.11 During this quarter planning enforcement action has generated £635 for the Planning Department due to the submission of retrospective planning applications and applications for discharge of conditions.

**COMMENTS FROM STATUTORY OFFICERS:**

**6. SECTION 151 OFFICER**

6.1 There are no specific financial implications

**7. MONITORING OFFICER**

7.1 The Council must make a decision based on all relevant information and following consideration of all relevant Council policies.

**8. HEAD OF PEOPLE AND POLICY (ON BEHALF OF THE HEAD OF PAID SERVICE)**

8.1 There are no specific human resources implications.

**9. CONSULTATION CARRIED OUT**

9.1 None carried out

**10. CONCLUSION**

10.1 This report details action taken by the Licensing and Enforcement Unit.

<b>Background Papers</b>	
Document	Place of Inspection
Planning Enforcement Policy	<i>Licensing and Enforcement Unit</i>

<b>Appendices</b>	
Document	Appendix Number
Quarter 2 Notices Issued	<i>Appendix A</i>
Quarter 2 Appeal Decisions	<i>Appendix B</i>
Draft enforcement policy	<i>Appendix C</i>