

Subject:	Planning Enforcement Report	Status:	For Publication		
Report to:	Development Control Committee	Date:	2 nd January 2019		
Report of:	Planning Manager	Portfolio Holder:			
Key Decision:	<input type="checkbox"/> Forward Plan <input type="checkbox"/>	General Exception	<input type="checkbox"/>	Special Urgency	<input type="checkbox"/>
Equality Impact Assessment:	Required:	No	Attached:	No	
Biodiversity Impact Assessment	Required:	No	Attached:	No	
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RECOMMENDATION(S)	
Members are advised to note the report contents.	

1.0 Introduction

- 1.1 This report has been prepared with a view to looking at the Council's planning enforcement performance in the last quarter September – December 2018.
- 1.2 The team have worked hard to try and negotiate resolutions with those who breach planning control and this has resulted in the issuing of fewer notices during the last quarter, the figures for this are evident to see.
- 1.3 The benefits of issuing fewer notices will see result in officers having more time to spend on cases that are of particular local concern and of course be in a position to provide a more effective response to new complaints.
- 1.4 There are still a high number of notices awaiting compliance and several court cases outstanding where trial dates have now been fixed. These will be expanded upon at the end this report.

2.0 Cases Update

- 2.1 The following table shows the status of cases at the end of 2018:

Total Cases For Investigation At start of Third Quarter	74
Total New Cases Recorded	26
Total Cases For Investigation	100
Total Cases Investigated and Finalised	61
Total Open Cases Left Under Investigation	39
Historic Cases Left to Allocate	Nil (Backlog cleared)

3.0 Enforcement Action Taken

Enforcement Notices Issued	1
Temporary stop Notices Issued	1
Section 215 Notices Issued	2
Urgent Works Notices Issued	0
S225 (Removal of Advertisements) Notices	0
Prosecutions	2
Convictions at Court	1
Cases where 'Direct Action' taken	0
Notices Complied with	5
Warrants of Entry	0

4.0 Looking Forward

- 4.1 The majority of the positive enforcement action taken throughout 2019 will come to fruition during 2019, with no less than 8 x Enforcement Notices due for compliance, 4 x appeals pending and 4 x cases due at court.
- 4.2 Of particular note are cases listed for trial at court, with the felling of a protected tree due at Burnley Magistrates Court on 7th February 2019 (one day trial). In addition to this is the breach of an enforcement notice where a not guilty plea has been entered by the defendant and his company due for a 9 x day trial at Preston Crown Court on 29th April 2019.
- 4.3 Officers will be required to give evidence on behalf of the Council at the above trials and will of course be working hard to secure compliance in respect of outstanding enforcement notices throughout 2019.