

Planning Committee

Quarterly Enforcement Report

7 October 2010

Report of Strategic Director Planning, Housing and Economy

PURPOSE OF REPORT

To inform and update Members of the progress of outstanding formal enforcement cases and to inform Members of reviews caseload statistics

This report is public

Recommendations

The Planning Committee is recommended:

- (1) To accept this report.

Details

Background

- 1.1 The last quarterly report was given to this Committee on 20 May 2010, and this report continues the regular reporting on enforcement matters in this format which commenced in October 2008.

The Current Situation

- 2.1 Appendix One provides a comprehensive history of those cases which have progressed to formal action of one type or another. I am pleased to be able to report that the continued effort to close down some of the older cases is being successful, albeit that some inevitably continue to appear. This is due to the complexity of the legislation and the availability of challenges/delaying tactics for the potential recipient of enforcement action.

- 2.2 It should be noted that a number of cases have been successfully closed since the May report, and are indicated as not appearing on future reports.
- 2.3 You will recall that in May I reported that the enforcement investigation team had been reduced in strength through retirement . As part of the Councils medium term financial strategy the post has not been filled. The level of complaints to be investigated has not reduced and therefore it has been necessary to prioritise our investigation of complaints. I anticipated that there may therefore be an increase in the time to provide a response to complaints. The case management system introduced as part of the planning improvement plan has however enabled the enforcement team to maintain an overview of the complaints and ensure that they are effectively dealt with. This has been aided by the increased support provided by the planning housing and economy admin support team in the initial research and recording of all enforcement enquiries.
- 2.4 Members will be aware that the end of Appendix One is dominated by those related to former RAF Upper Heyford. Enforcement notices have now been withdrawn that related to uses which were granted permission on appeal. Other notices relate to buildings in the settlement area that the appeal proposed demolition of and other buildings on the flying field that in the appeal proposals were shown as a nil use or a different use but are in use. To resolve these cases further planning applications will need to be submitted and discussions are on going with Dorchester with regard to this.
- 2.5 Appendix Two provides the basic statistics related to this service

Implications

- Financial:** It is anticipated that the cost of taking enforcement action can be met within existing budgets. The cost implications with regards to action at Heyford Park will be addressed in a future report.
Comments checked by Eric Meadows, Service Accountant 01295 221556
- Legal:** There are no additional legal implications arising for the Council from this report.
Comments checked by Pam Wilkinson, Principal Solicitor 01295 221688
- Risk Management:** Where it is relevant to do so the risk of taking formal enforcement action is that costs could be awarded

against the Council in any appeal that precedes to an inquiry or hearing if this action is subsequently considered to have been unreasonable. The risk of not taking effective an timely action is that a complaint could be made by a complainant to the Local Enforcement Ombudsman.

Comments checked by Rosemary Watts, Risk and Insurance Manager 01295 221560

Wards Affected

All

Document Information

Appendix No	Title
Appendix One Appendix Two	Enforcement and Prosecution Quarterly Report Case and Closure Statistics
Background Papers	
None	
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