

**West & City Centre Area Planning
Sub-Committee**

12th January 2012

Report of the Director of City Strategy

Enforcement Cases - Update

Summary

1. The purpose of this report is to provide Members with a continuing quarterly update on the number of enforcement cases currently outstanding for the area covered by this Sub-Committee.

Background

2. Members have received reports on the number of outstanding enforcement cases within the Sub-Committee area, on a quarterly basis, since July 1998, this report continues this process.
3. Some of these cases have been brought forward as the result of information supplied by residents and local organisations, and therefore “The annexes to this report are marked as exempt under Paragraph 6 of Schedule 12A to Section 100A of the Local Government Act 1972, as amended by the Local Government (Access to Information) (Variation) Order 2006, as this information, if disclosed to the public, would reveal that the Authority proposes to give, under any enactment a notice under or by virtue of which requirements are imposed on a person, or that the Authority proposes to make an order or direction under any enactment”.
4. In order to give Members an up to date report, the schedules attached have been prepared on the very latest day that they could be to be included in this report on this agenda.
5. Section 106 agreements are monitored by the Enforcement Team. A system has been set up to enable officers to monitor payments required under the agreement.

Current Position

6. Members should note that 51 new cases were received for this area within the last 3 months. 69 cases were closed and 196 remain outstanding. Please note that the on-going investigations report shows 207 outstanding cases but this appears to be due to a discrepancy on the system. The figure is 196. There are 75 Section 106 Agreement cases outstanding for this area after the closure of 4 in the last 3 months. These brought in a total of £9016 of outstanding financial contributions required as part of approved developments in the west and centre area.

We have served 2 enforcement notices in the last quarter, at 92 Tadcaster Road and 29 White House Dale. We have one enforcement appeal against a notice pending at 93 Micklegate and have signed authorisation for a prosecution for the failure to comply with an enforcement notice at 157A Gale Lane.

Consultation.

7. This is an information report for Members and therefore no consultation has taken place regarding the contents of the report.

Options

8. This is an information report for Members and therefore no specific options are provided to Members regarding the content of the report.

The Council Plan 2011-2015.

9. The Council priorities for Building strong Communities and Protecting the Environment are relevant to the Planning Enforcement function. In particular enhancing the public realm by helping to maintain and improve the quality of York's streets and public spaces is an important part of the overall Development Management function, of which planning enforcement is part of.

10. Implications

- **Financial** - *None*
- **Human Resources (HR)** - *None*
- **Equalities** - *None*

- **Legal** - *None*
- **Crime and Disorder** - *None*
- **Information Technology (IT)** - *None*
- **Property** - *None*
- **Other** - *None*

Risk Management

11. There are no known risks.

Recommendations

12. That if members have any queries or questions about specific cases on this enforcement report then please e-mail or telephone either Matthew Parkinson or Andy Blain by 5pm on Wed 11th January and also note the cases closed annex. Also, if members identify any cases which they consider are not now expedient to pursue and / or they consider could now be closed, then if they could advise officers, giving reasons, either at the meeting or in writing, then that would be very helpful in reducing the number of outstanding cases.

Reason: To update Members on the number of outstanding enforcement cases within the Sub-Committees area.

Contact Details

Author:

Matthew Parkinson
Andy Blain
Planning Enforcement
Officers

Chief Officer Responsible for the report:

Chief Officer's name
Michael Slater
Assistant Director (Planning and Sustainable Development)

Dept Name City Strategy
Tel No. 551647/551314

Report Approved



Date 03/01/2012

Specialist Implications Officer(s)

None

Wards Affected: *All Wards in the West and City Centre area*



For further information please contact the authors of this report

Background Papers:

Environment and Development Services Business Plan (2000/2001).

Report to Area Sub-Committee in July 2006 – Enforcement Cases Update.

Annexes

Annex A - Enforcement Cases – Update (Confidential)