

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

**19 April 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. 63 new cases were received for this area within the last 3 months. 66 cases were closed and 204 remain outstanding. There are 85 Section 106 Agreement cases outstanding for this area after the closure of 7 in the last 3 months. These closed cases brought in a total of £42799 of outstanding financial contributions required as part of approved developments in the west and centre area.

This period has also coincided with the continued loss of Hilary Shepherd on a temporary secondment to Union facility time and as yet this full time equivalent post has not been backfilled. It has recently been advertised with a view to filling this vacancy in the enforcement team until at least the end of September. Hopefully officers will have an update on this for members at the meeting.

We have served 1 breach of condition notice in the last quarter . There is still one enforcement appeal against a notice pending at 93 Micklegate.

## **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 members note the content of the report. Officers do try to update the individual reports and cases when necessary but it is not always possible to keep up with these straight away. Therefore if members have any additional queries or questions about cases on this enforcement report then please e-mail or telephone Matthew Parkinson or Andy Blain by 5pm on Wednesday 18<sup>th</sup> April. Please note that the cases are now presented in Parish order so hopefully this will make it easier for members to reference cases in their respective areas.

Also, if members identify any cases which they consider are not now expedient to pursue and / or they consider could now be closed, giving reasons, then if they could advise officers 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

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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** 04/04/2012

**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)