



East Area Planning Sub-Committee

3rd January 2013.

Report of the Director of City and Environmental Services

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 Part 1 of Schedule 12A of the Local Government Act 1972, 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. 48 new investigation cases were received for this area within the last quarter, 61 cases were closed and 330 remain outstanding.

There are 95 Section 106 monitoring cases outstanding for this area. 17 such cases have been closed in this quarter and these have brought in a total of £12036 of outstanding financial contributions attached to developments in the east area. Letters have gone out on some other developments where the contributions are now required and responses to these are awaited.

We currently still have 3 pending prosecutions for the failure to comply with enforcement notices. We also have 2 on-going appeals against previously served enforcement notices and 2 appeals against an enforcement notice have been dismissed. We have received authorisation for 4 further notices to be served on sites in the East side of the city and these are currently with legal services being prepared.

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, Alan Kendall or Tim Goodall by 5pm on Wednesday 2nd January 2013. 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

Author:

Author's name
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Dept Name: **City and
Environmental Services.**

Chief Officer Responsible for the report:

Chief Officer's name
Michael Slater

Assistant Director (Planning and
Sustainable Development)

**Report
Approved**



Date 20/12/2012

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

**Report
Approved**



Date 20/12/2012

Specialist Implications Officer(s) List information for all

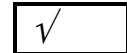
Implication ie Financial:

Name Patrick Looker.

Implication ie Legal:

Andrew Docherty.

Wards Affected: All Wards



For further information please contact the author of the report

Annexes

Annex A - Enforcement Cases – Update (Confidential)