
**East Area Planning
Sub-Committee**

5th 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 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. Members should note that 45 new cases were received for this area within the last quarter, 72 cases were closed and 287 remain outstanding. There are 95 Section 106 Agreement cases outstanding for this area after the closure of 6 for this quarter. 4 of these 6 cases brought in a total of £52302 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 have signed authorisation for 2 prosecutions for the failure to comply with enforcement notices which are in the process of being passed to legal services with a view to proceeding to court. We have 1 case where officers have signed authorisation to serve an enforcement notice with 2 more being prepared for authorisation. 3 Planning Contravention Notices (PCN's) have also been served during this period in order to establish land ownership details with a view to serving enforcement notices in the near future.

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. If Members have any queries or questions about cases on this enforcement report then please e-mail or telephone Matthew Parkinson or Alan Kendall by 5pm on Tuesday 3rd January 2012. Please ensure that any queries sent to Alan after Fri 30th Dec are also copied to Matthew. 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

Matthew Parkinson /
Alan Kendall
Planning Enforcement
Officers

Dept Name City Strategy
Tel No. 551657/551324

Chief Officer Responsible for the report:

Chief Officer's name

Michael Slater
*Assistant Director (Planning and
Sustainable Development)*

**Report
Approved**



Date 20/12/2011

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

**Report
Approved**



Date 20/12/2011

Specialist Implications Officer(s) *List information for all*

Implication ie Financial

Name

Title

Tel No.

Implication ie Legal

Name

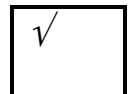
Title

Tel No.

Wards Affected: *All Wards*

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For further information please contact the author of the report

Background Papers:

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

Report to Area Sub-Committee in July 2010 – Enforcement Cases Update.

Annexes

Annex A - Enforcement Cases – Update (Confidential)