

## **Planning Sub-Committee**

9<sup>th</sup> January 2014

### **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. Across the City of York Council area 102 new investigation cases were received within the last quarter.

During the same period 103 cases were closed. A total of 483 ongoing investigations remain open.

There are also 173 Section 106 monitoring cases open. 33 such cases have been closed in this quarter as the contributions required through obligations contained in the S106 agreement have been received. These obligations total off-site financial contributions of £151 042.

In this quarter 1 enforcement notice, 2 Section 215 (Untidy Land) Notices and 3 Planning Contravention Notices have been served. There has been 1 prosecution in the Magistrates Court for the illegal display of an advertisement and 4 further cases which are currently the subject of legal proceedings. There are 3 further cases which have authority for Enforcement Notices and 2 for S215 Notices to be served and work is continuing on these.

### **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 the case officers before 5pm on Tuesday 7<sup>th</sup> January 2014. 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, particularly older ones.

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

## Contact Details

### Author:

Matthew Parkinson  
Planning Enforcement  
Team Leader.

551657

**City and Environmental  
Services.**

### Chief Officer Responsible for the report:

Michael Slater

Assistant Director (Planning and  
Sustainable Development)

**Report  
Approved**



**Date** 27/12/2013.

*Michael Slater*

*Assistant Director (Planning and  
Sustainable Development).*

**Report  
Approved**



**Date** 27/12/2013

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

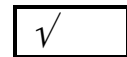
*Financial:*

*Name Patrick Looker.*

*Implication ie Legal:*

*Andrew Docherty.*

**Wards Affected:** *All Wards*



### **Annexes**

Annex A- Enforcement Cases- Update (Confidential)