

## PLANNING COMMITTEE

7 AUGUST 2012

### REPORT OF THE ACTING HEAD OF PLANNING

#### ENFORCEMENT QUARTERLY PERFORMANCE REPORT

##### 1. Background

This report has been compiled to inform the Committee of the Enforcement Service's performance over the past three months.

The first half of 2012 has been a busy period with the Service investigating 290 cases. If this level of complaint notification continues throughout the year, the Service will experience a reduction in investigations from 700 to 600 a year. It is normal however, for the number of complaints to rise during the summer months.

##### 2. Cases on hand at start of period: 281

##### 3. Cases Received and Closed

Month	Cases Received	Cases Closed
April	48	55
May	51	79
June	36	27
<b>Total</b>	<b>135</b>	<b>161</b>

##### 4. Cases on hand at end of period: 255

##### 5. Notices Served

Type of Notice	
Enforcement Notice	6
Stop / Temporary Stop Notice	0
Breach of Condition	37
Untidy Site	3
Planning Contravention Notice	2
Section 330	4
Injunctions	0
Warrants	1
<b>Total</b>	<b>53</b>

##### 6. Appeals Received

Members are formally notified of all planning enforcement appeals lodged with the Secretary of State and of their outcome. The table below confirms that for the last quarter only one appeal has been lodged.

<u>Address</u>	<u>Development</u>	<u>Type</u>	<u>Reference</u>
Al Fresco Restaurant, 32-34 Kingsway, Dovercourt	Change of use to night club	Written Reps	<b>11/00300/CHGUS3</b>

## 7. Appeals Determined

Of the appeals lodged against the Council's decision to issue a notice, there have been none determined this quarter. The Council's annual appeal statistics for 2011 was a healthy 88.9% success rate, but so far this year our success continues to be 100%.

## 8. Prosecutions

Over this quarter the Council has mounted only one prosecution in the local Magistrate's Courts.

<u>Address</u>	<u>Offence</u>	<u>Reference</u>	<u>Plea</u>	<u>Fine</u>	<u>Costs Awarded</u>
Bel Air Chalet Park, Beach Road, St Osyth	Non-compliance with Breach of Condition Notice – 32 offences cited	12/00062/BRCHC2	Not Guilty 29.06.12	£30,000	£1,280

## 9. Warrants

In June the Council obtained a warrant from Colchester Magistrates' Court, under Section 196 of the Town and Country Planning Act 1990, as amended, to access a property in Mistley following the owner's failure to secure compliance with the terms of an enforcement notice served in April 2009. The warrant was exercised on the 28<sup>th</sup> of the month.

## 10. Conclusions

The number of complaints received in the first half of the year shows a slight fall in the level of workload for the enforcement service. However, this has been offset by the additional work required to the service of the 34 Breach of Condition Notices at Point Clear Bay, St Osyth, which allow until November 2013 for compliance.

### Background Papers

None, other than published works.