

PLANNING COMMITTEE

30 OCTOBER 2012

REPORT OF THE ACTING HEAD OF PLANNING

A.2 - 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 third quarter of 2012 has again been a busy period with the Service investigating 198 cases. In total for 2012, the Service has now investigated 548 new cases. If this level of complaint notification continues throughout the year, the Service will be looking to handle in excess of 700 investigations this year.

2. Cases on hand at start of period: 255

3. Cases Received and Closed

Month	Cases Received	Cases Closed
July	72	70
August	76	65
September	50	73
Total	198	208

4. Cases on hand at end of period: 245

5. Notices Served

Type of Notice	Quarter	Annually
Enforcement Notice	8	17
Stop / Temporary Stop Notice	0	0
Breach of Condition	2	37
Untidy Site	0	4
Planning Contravention Notice	4	9
Section 330	1	9
Injunctions	0	0
Total	16	77

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 contains information on the appeals that have been lodged during the last TWO quarters.

Address	Development	Type	Reference
38 Hordle Street Dovercourt Harwich Essex CO12 3PX	Change of Use - Property split into two self contained properties.	S172	12/00032/ENFORC

Windward House First Avenue Frinton On Sea Essex CO13 9HA	Change of use - Use of annex as separate dwelling/accommodation.	S172	12/00033/ENFORC
--	--	------	-----------------

7. Appeals Determined

Of the appeals lodged against the Council's decision to issue a notice, there have been two determined within the past two quarters. The Council's annual appeal statistics for 2011 was a healthy 88.9% success rate. So far this year our success remains at 100%.

Address	Development	Type	Reference	Decision
50 Hillman Avenue Jaywick Clacton On Sea Essex CO15 2JL	Extending property without pp	WR	11/00066/ENFORC	DISMIS
Al-Fresco Restaurant 32 - 34 Kingsway Dovercourt Harwich Essex CO12 3AB	Nightclub no PP.	WR	12/00018/ENFORC	DISMIS

8. Prosecutions

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

Address	Offence	Reference	Plea	Fine	Costs Awarded
Bel Air Chalet Village, Beach Road, St Osyth	Non-Compliance wit Breach of Condition Notice.	12/00062/BRCHC2	Not Guilty	£30,000 Reduced on appeal to £15,000	£2,530

9. Conclusions

The number of complaints received throughout the year has continued to be at a high level. The Planning Enforcement team has continued to meet and exceed the targets set for investigation. In addition to this, the service has served 32 Breach of Condition Notices in the Point Clear Bay area for occupation of properties in the winter period contrary to occupancy conditions imposed on planning permissions. The Service has also improved on its appeal statistics over previous years, which were already high.

Background Papers

None, other than published works.