

QUESTION TO COUNCILLOR FRED NICHOLLS
PORTFOLIO HOLDER FOR CORPORATE ENFORCEMENT

QUESTION PURSUANT TO COUNCIL PROCEDURE RULE 11.2

Question raised by: Councillor Michael Talbot

“To the Portfolio Holder for Planning.

A recital of the problem:

Your Department has recently issued ‘Enforcement notices’ for breaching conditions in contravention of a 1958/9 planning permission, to my electors occupying 36 Chalet properties in the ward.

This notice requires them to vacate their home three months after receipt of the notice, which for many is by 5th December or face likely court proceedings for not complying with the notice.

The Council will presumably offer those forced to leave their home, temporary accommodation until they can return to their home in March next year.

Their various home insurances maybe invalidated by leaving their homes empty. The local police presumably will be asked by this Council to offer greater surveillance over these empty homes.

I believe it is possible that these residents may be protected under European human rights legislation.

If they are not found homes locally their children’s schooling will be interrupted and their family registration with a doctor may be lost.

The notices add as a reason for the action, that they are resident in “Flood Zone 3”. This is not the Environment Agency description of where their properties are situated as the Agency ‘hatch’ the actual plans of this area as being ‘Flood Zone 3’ an “Area benefiting from flood defences”, which means they have suitable protection and emergency arrangements to protect when flooding is predicted.

All this disruption now to satisfy a 58 year old planning condition, long before some residents were born!

As a Councillor for St Osyth I should like to ask the following questions:

Can the Portfolio Holder for Planning advise me:

- (a) Whether the above matters have been taken into consideration by your Department when issuing these Notices and what they propose to do on behalf of any Dispossessed Residents?*
- (b) Does he agree with me that when serving these noticed on the 1st August for residents of brick built Chalet Bungalows, the Council agreed on the 4th August, 3 days later, to grant all year round use of a caravan, neighbouring*

these chalets in the adjacent Orchards Holiday Park, which it was claimed had been used in excess of ten years, by the issue of a lawful use certificate.

There is an expression about 'Rubbing peoples noses in it!' - dare I say Is this what Tending is doing?