

PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE	AGENDA ITEM 6
9 JUNE 2015	PUBLIC REPORT

Cabinet Members responsible:	Councillor Hiller – Cabinet Member for Growth, Planning, Housing & Economic Development	
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**PLANNING COMPLIANCE QUARTERLY REPORT ON ACTIVITY & PERFORMANCE
JANUARY TO MARCH 2015**

RECOMMENDATIONS	
FROM : Director of Growth and Regeneration	Deadline date : June 2015
That Committee notes past performance and outcomes.	

1. PURPOSE AND REASON FOR REPORT

It is useful for Committee to look at the Planning Service's planning compliance performance and activity and identify if there are any lessons to be learnt from the actions taken. This will help inform future decisions and potentially reduce costs. This report is presented under the terms of the Council's constitution Part 3, delegations section 2 para 2.5.1.4.

2. TIMESCALE.

Is this a Major Policy Item/Statutory Plan?	NO	If Yes, date for relevant Cabinet Meeting	N/A
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3. MAIN BODY OF REPORT

In the fourth quarter of 2014/15 we received a total of 138 service requests (we usually average 150 cases per quarter). Taking into account the number of cases closed over the period (147 cases) as at 31 March 2015 we had 159 live cases being investigated / in the process of being resolved. The Technical Services Team acknowledged 100% of new service requests within 3 working days this quarter, well above the target of 80%. 98% of initial site visits were made within 7 days of the service request being received, again well above the 80% target. A total of 16 enforcement notices were issued in the quarter and 10 enforcement notices issued in previous quarters have been checked and were found to have been complied with.

There was one prosecution cases to report this quarter regarding RP Meats in Cherry Orton Road. An enforcement notice was served requiring the removal of a walk in fridge. The fridge was moved from one part of the site to another but is still located within the area that is subject to the enforcement notice. The prosecution failed because the judge was not satisfied that we have proved beyond doubt who the owner of the property was. The case flushed out the other arguments that the person we were looking to prosecute was going to use to defend their position. External legal advice is being taken to establish the strength of a potential future case in the light of this information

There are two other notable cases to report:-

- Land at The Stables, Paradise Lane, Northborough (13/00164/ENFOTH) – An enforcement notice was issued to secure the removal of two gate piers associated with the unauthorised residential occupancy of a stable building. The notice was appealed but the appeal was unsuccessful (please note that the residential occupancy matter was also subject to an unsuccessful appeal)
- Southorpe Quarry (13/00340/ENFACC) – A breach of condition notice was issued as the approved aftercare scheme was not being complied with. The breach has now been remedied.

Please see the attached Appendix for further details of the Planning Compliance Team Quarterly Report on Activity & Performance.

4. IMPLICATIONS

4.1 **Legal Implications** – There are no legal implications relating to this report on performance, although the enforcement process itself must have due regard to legal considerations and requirements.

Financial Implications – This report itself does not have any financial implications

Human Rights Act – This report itself has no human rights implications but the enforcement process has due regard to human rights issues.

Human Resources – This report itself has no human resources implications.

ICT – This report itself has no ICT implications.

Property – This report itself has no Property implications.

Contract Services – This report itself has no Contract Services implications.

Equality & Diversity – This report itself has no Equality and Diversity Implications, although the enforcement process has due regard to such considerations.