

ENFORCEMENT ACTION

PROGRESS REPORT – 6th October 2004

| CASE NUMBER AND SITE | DETAILS OF CONTRAVENTION | ACTION TAKEN | PRESENT SITUATION |
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| <p>18/98 B/1/45/20 Mobile Home Site Setchell Drove COTTENHAM</p> | <p>A. Stationing of caravans without planning permission.</p> <p>B. Unauthorised building works.</p> <p>C. Unauthorised Engineering works.</p> | <p>Planning Committee 1st July 1998 - Item 26.</p> <p>Members gave delegated authority to take Enforcement Action in respect of those breaches of planning control which could not be regularised by the submission of a planning application or resolved by negotiation.</p> | <p>3.4.2002 The requirements of the Enforcement Notices in respect of over size buildings on the front part of Plots Fourwinds, 7A, 7 and 10 have not been met. Arrangements are in hand for those concerned to take part in a formal interview, and once they have taken place (or declined) prosecution files will be compiled and forwarded to the Legal Office for processing.</p> <p>3.7.2002 The owners of the oversized structures on the front land of Plot 7, 7A and 10 have been formally interviewed as to why they have not been reduced in size, and discussions are taking place to agree a way forward to ensure maximum success in any ensuing Court proceedings.</p> <p>2.10.2002 Further discussions with local Members being planned to consider a number of issues relating to development in this area.</p> <p>8.1.2003 Prosecution files submitted to Legal Office for Plots 7, 7A and 10</p> <p>2.4.2003 Planning applications S/0024/03/F and S/0025/03/F received for 7A and 10 Setchell Drove have now been refused.</p> |

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| | | | <p>Case listed at Cambridge Magistrates Court 19th March 2003 for breach of Enforcement Notice. Adjourned to 9th April 2003</p> <p>2.7.2003 On 9th April the owners of Plots 7, 7A and 10 appeared before Cambridge Magistrates Court. They were each fined £200 with £45 costs. An appeal was made against the refusal of planning permission for the retention of a day room on Plot 10 S/0024/03 refers but the appeal has now been withdrawn.</p> <p>The owners of Plots 7, 7A and 10 have moved off the site and Plots 7 and 10 are now occupied. Planning Contravention Notices have been issued to establish details of ownership before commencing further proceedings.</p> <p>1.10.2003 The owners of Plots 7 and 10 have been reported for being in breach of Enforcement Notices. Prosecution file being submitted to Legal Office.</p> <p>Owner of Plot 7A not identified. Enquiries continue.</p> <p>7.1.2004 Prosecution file submitted to Legal Office for Plots 7 and 10. Enquiries continue concerning Plot 7A.</p> <p>7.4.2004 Prosecution files submitted for oversize buildings on Plots 7 and 10</p> <p>7.7.2004 Cases listed at Cambridge Magistrates Court for 30th June 2004.</p> |

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| | | | <p>6.10.2004 Cases listed for plots 7 and 10 at Cambridge Magistrates Court on 29th September 2004.</p> <p>Resolved to take Direct Action for breach of extant Enforcement Notices to the rear of plots 2 to 8 Setchel Drove.</p> |
| <p>26/98 B/1/45/61 Riverside Stables Bourn Bridge Road LITTLE ABINGTON</p> | <p>Without the benefit of planning permission</p> <p>A. The stationing of a mobile home for residential purposes.</p> <p>B. Unauthorised engineering works.</p> <p>C. Change of use - storage of motor vehicle and vehicle parts.</p> | <p>Planning Committee 7th October 1998 - Item 18.</p> <p>Members authorised enforcement action in respect of identified breaches of planning control which could not be resolved by means of negotiation.</p> <p>A. To clear land of all items not associated with agriculture and to use the land only for the purposes of agriculture.</p> <p>B. A period of three months to comply with the Notice.</p> <p>C. Proceedings in the Magistrates Court be authorised in the event of failure to comply with the Notice and subject to there being no material change in the circumstances</p> | <p>Negotiations to address the breaches of planning control were unsuccessful, and Legal department have now been requested to issue the necessary Enforcement Notice.</p> <p>Enforcement Notice issued 14th January 1998, and has been appealed. To await outcome of appeal.</p> <p>Hearing scheduled for 5th October 1999.</p> <p>Hearing re-scheduled to 11th January 2000.</p> <p>Subject to some minor alterations to the Enforcement Notice, the appeal was dismissed 13th March 2000, there is a compliance period of 3 months - 13th June 2000 and the site will be monitored to ensure full compliance.</p> <p>5.7.2000 Inspection made 19th June 2000 revealed no movement towards complying with the requirements of the Enforcement Notice.</p> <p>The owner(s) to be interviewed with a view to instigating a prosecution for non-compliance with the requirements of the Enforcement Notice.</p> |

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| | | | <p>4.10.2000 The appellant appealed to the High Court, with his appeal being dismissed 3rd July 2000. Compliance period ends 3rd October 2000.</p> <p>3.1.2001 The planning application verbally referred to 4th October 2000 has been registered under Council's reference S/1868/00/F and is to be refused. A verbal update will be given to Members.</p> <p>2.5.2001 No recent visits have been made due to the foot and mouth situation, but it thought full compliance with the requirements of the Enforcement Notice have been met. Contact with the owner is being sought in order to formally inform him a date for compliance in accordance with Section 173A (3) Town and Country Planning Act 1990, with a suggested date of 30th June 2001.</p> <p>4.7.2001 Letters sent 16th May 2001 giving 30th June 2001 as new compliance date. It is highly unlikely that a visit will be possible between that date and the date of this meeting, but the site will be monitored and appropriate action taken.</p> <p>3.10.2001 The refused planning application under reference S/1868/00/F has now been appealed. The enforcement compliance period, in accordance with our usual practice in such circumstances, will be extended to coincide with the outcome of the appeal.</p> |

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| | | | <p>2.1.2002 Planning refusal S/1868/00/F was dismissed at appeal on 9th October 2001. The amended compliance date is 1st March 2002.</p> <p>3.4.2002 The requirements of the Enforcement Notice were not met within the prescribed time, and as a result the owner/occupier was formerly interviewed 28th February 2002, and a prosecution file is being compiled for forwarding to the Legal Office for proceedings in the Magistrates Court.</p> <p>3.7.2002 The prosecution file is in the final stages of completion, and will be forwarded to Legal to commence Court proceedings as soon as possible.</p> <p>2.10.2002 Prosecution file submitted to Legal Office</p> <p>8.1.2003 Summons issued case adjourned on 4th December to 11th December 2002</p> <p>2.4.2003 On 19th March 2003 the case was adjourned to 2nd April 2003.</p> <p>2.7.2003 The case has been committed to Crown Court and a trial date has been set for the week commencing 4th August. A pre-trial hearing is listed for the 14th July.</p> <p>1.10.2003 Case adjourned to November.</p> |

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| | | | <p>7.1.2004 On 13th November 2003 the defendant appeared before Cambridge Crown Court and pleaded guilty. He was fined £1,500 with £8,000 costs. A site visit will be made in January to establish if further action is required.</p> <p>7.4.2004 No vehicles on site. Site continues to be monitored.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 No change</p> |
| <p>34/98 B/1/45/72 and S/0133/97/O Camside Farm Chesterton Fen Road MILTON</p> | <p>Without planning permission the stationing of two mobile homes for residential use.</p> | <p>Planning Committee 2nd December 1998 - Item 20 Members authorised</p> <ul style="list-style-type: none"> (i) To seek an injunction . (ii) To issue an Enforcement Notice if the application for an injunction was refused. (iii) A Period of three months to comply with any Enforcement Notice issued. (iv) That in the event of failure to comply with the Notice and subject to there being no material change in circumstances proceedings be taken in the Magistrates Court. | <p>The necessary information and documentation to seek an injunction is currently being processed.</p> <p>Letters of intended actions served upon contravenors, who subsequently submitted a planning application to retain the two mobile homes and also an application for a Lawful Development Certificate alleging lawful use of the two mobile homes as bedroom use only. Injunctive action held pending determination of the above applications.</p> <p>On advice from the Legal department an Enforcement Notice was issued under reference E342 8th June 1999 requiring (a) removal of the mobile homes from the site together with ancillary works, (b) cease to use the land as a general dealers yard, (c) restore the land to its condition before the breaches of planning control took place, (d) use the land only for agriculture and paddock with stables as before. The Notice takes effect 15th July 1999 and has a compliance period of 6 months.</p> |

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| | | | <p>The Enforcement Notice has been appealed. The site is also part of the general review of travellers accommodation in the Chesterton Fen Road area.</p> <p>The outcome of the appeal against the Enforcement Notice is awaited.</p> <p>The appeal was dismissed 10th January 2000 with the compliance period being varied to 9 months (10th October 2000).</p> <p>5.7.2000 Compliance period ends 10th October 2000.</p> <p>4.10.2000 Still within the period before compliance which ends 10th October 2000.</p> <p>3.1.2001 Arrangements were made to formally interview two of the appellants 8th December 2000 at these offices, and both attended together with their Counsel and Solicitor. On the advice of their legal advisers both declined a formal interview, with their Counsel agreeing to write to our Head of Legal Services by the end of January 2001 listing those issues his clients wished to be considered in connection with any intended prosecution. Counsel indicated that the Human Rights Act 2000 would feature greatly in his submissions.</p> <p>2.5.2001 Summonses returnable to Cambridge Magistrates Court 16th May 2001 were served 18th April 2001.</p> <p>4.7.2001 A plea of not guilty was entered at Cambridge Magistrates Court 8th June 2001 and the case committed to Crown Court for trial, and will be listed in due course.</p> |

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| | | | <p>3.10.2001 A pre-trial hearing scheduled for 23rd September 2001.</p> <p>2.1.2002 The case has been adjourned by Judge Howarth, generally, until the outcome of another case dealing with a human rights point which the defendant's Counsel asserts has a bearing on the Webb's liability. Likely to be several months.</p> <p>3.4.2002 The outcome of the case referred to at 2.01.2002 is still awaited.</p> <p>3.7.2002 The trial has now been fixed for November. It is expected that the first day will be to hear legal arguments, followed by a further five days.</p> <p>2.10.2002 Trial still pending.</p> <p>8.1.2003 On 8th November 2002 the defendants appeared before Norwich Crown Court. They pleaded guilty and were fined as follows:</p> <p>A Webb (Senior) fined £3,500, costs £1,500, 2 months imprisonment in default of payment of fines.</p> <p>A Webb fined £1,000, £1,500 costs.</p> <p>M Webb fined £1,000, £1,500 costs.</p> |

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| | | | <p>A letter has been sent by the Legal Office to the defendants legal representative informing them that a further site visit will be made on 10th February 2003. If the Enforcement Notice has not been complied with consideration will be given to further prosecutions.</p> <p>2.4.2003 A further summons has been issued for breach of the Enforcement Notice. Case listed at Cambridge Magistrates Court 30th April 2003.</p> <p>2.7.2003 Case adjourned to 18th June 2003. A verbal update will be given.</p> <p>1.10.2003 Case adjourned to November.</p> <p>7.1.2004 On 11th November 2003 the defendants appeared before Cambridge Crown Court. They pleaded guilty and were convicted as follows:</p> <p>A Webb (Senior) – Conditional Discharge for 2 years. A Webb – Fined £2,500 M Webb – Fined £2,500 Costs of £3,000 were awarded. A planning application S/2285/03/F has been submitted, which if approved, would allow the defendants to move the mobile homes subject of the Enforcement Notice to the new site.</p> <p>The situation will be monitored and a timescale agreed once the planning application has been determined.</p> |

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| | | | <p>7.4.2004 Awaiting determination of planning application S/2285/03/F.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Planning application S/2285/03/F approved on 16th August 2004. Conditions have been imposed which are subject of further consultation.</p> |
| <p>14/99 B/1/4544 - 7/99 Mrs Patricia Hedges 'Carefield' Button End HARSTON</p> | <p>Without planning permission the material change of use of land from agriculture to the siting of caravans, including the delivering to the land of paving slabs, sand and the erection of a shed not requisite for agricultural purposes.</p> | <p>An Enforcement and Stop Notice were issued under delegated authority and the matter was a report to Planning Committee 4th August 1999 at Item 14, when Members authorised proceedings in the Magistrates Court against the owner/occupier in the event of failure to comply with the Notices and to apply for the issue of an Injunction if the former proved ineffective.</p> | <p>The Enforcement Notice was issued 23rd July 1999 and takes effect 6th September 1999 with a compliance period of 14 days. The Stop Notice was issued 26th July 1999 and took effect 27th July 1999. Both Notices were served on the 26th July 1999. The Stop Notice was not complied with, and following a formal interview with the occupier, a prosecution file was submitted to Legal Department. The Head of Legal Services is of the opinion that that with particular reference to Article 8 of the European Convention on Human Rights a prosecution, representing an interference by this Authority as a Public Authority with the exercise of that persons right to respect for private and family life, would be entirely in accordance with the law, he was not satisfied that such a course of action is necessary in the public interest set out in the Article until either the Enforcement Notice takes effect or an appeal is lodged and the appeal is determined on planning principles in favour of the Local Planning Authority.</p> <p>An appeal against the Enforcement Notice has been lodged, and is currently being determined.</p> |

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| | | | <p>An informal hearing in respect of the Enforcement Notice was heard 8th December 1999, and the outcome is awaited.</p> <p>Appeal dismissed 10th January 2000. Compliance period varied to 4 months - 10th May 2000.</p> <p>4.10.2000 The formal interview was conducted 12th July 2000 and this was followed with a meeting involving the local Member on 24th July 2000 to consider the points raised. The appellant is scheduled to undergo major surgery at Addenbrookes Hospital and negotiations to establish the time-scale with a view to extending the compliance period are being conducted by the Head of Legal Services.</p> <p>5.7.2000 Solicitors acting for applicant have requested an extension to the compliance period on medical grounds. A formal interview has been arranged for 4th July 2000 to be followed by a meeting with the Head of Legal Services and Local Member, before making any recommendation to Members.</p> <p>4.10.2000 The formal interview was conducted 12th July 2000 and this was followed by a meeting involving the local Member on 24th July 2000 to consider the points raised. The appellant is scheduled to undergo major surgery at Addenbrookes Hospital and negotiations to establish the timescale with a view to extending the compliance period are being conducted by the Head of Legal Services.</p> <p>3.1.2001 The Head of Legal Services will give Members an update.</p> |

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| | | | <p>2.5.2001 This matter is ready to proceed to prosecution as and when considered appropriate with special regard to the personal circumstances of the occupier.</p> <p>4.7.2001 Our Legal Department continues to negotiate with the occupiers legal advisers in an endeavour to negotiate a way forward.</p> <p>3.10.2001 Negotiations still being conducted by Legal Department.</p> <p>2.1.2002 No change – negotiations still being conducted by Legal Department.</p> <p>3.4.2002 Our Legal Department is still engaged in the exchange of correspondence with solicitors representing the owner, with the possibility that the matter will be put before the Court in the near future.</p> <p>3.7.2002 No change. The occupier is still waiting for her hip operation.</p> <p>2.10.2002 No change. Head of Legal Services to give an update.</p> |

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| | | | <p>8.1.2003 It has now been confirmed that the operation has taken place. As a result of consultations with the Chairman and the Local Member it was agreed that a site visit would be made after 11th February 2003 and that if the Enforcement Notice had not been complied with legal proceedings will be commenced. A letter has been sent to the occupier confirming the action that will be taken.</p> <p>2.4.2003 On 8th January 2003 it was agreed not to proceed with the prosecution until the outcome of planning application S/0040/03/F was known. To be considered at Committee 2nd April 2003.</p> <p>2.7.2003 Planning permission for S/0040/03/F refused. A file is being prepared to commence legal proceedings.</p> <p>1.10.2003 Appeal against refusal of planning permission S/0040/03/F. Inquiry date 17th February 2004. Waiting for outcome of appeal before proceeding with prosecution.</p> <p>7.1.2004 Further development of the site has taken place. A request for a further Enforcement Notice has been submitted to the Legal Office.</p> <p>7.4.2004 Awaiting outcome of planning appeal heard on 17/18th February 2004.</p> |

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| | | | <p>7.7.2004 Appeal allowed. Temporary planning permission granted to 7th April 2007.</p> <p>6.10.2004 No change. To be removed from active list until January 2007.</p> |
| <p>4/01 S/0337/97/LB 1 Meeting Lane MELBOURN Cambridge</p> | <p>Unauthorised extension to a listed building – rear porch.</p> | <p>Planning Committee 6th June 2001 – Item 30. Members authorised the serving of a listed building’s Enforcement Notice to cure the removal of the porch and the making good of the rear elevation of the listed building and further for the Conservation Manager and the Legal Officer to bring an action against the owner in the Magistrates Court in respect of the unauthorised works which have effected the character of a listed building.</p> | <p>4.7.2001 Conservation Manager and Legal Officer to carry out Members’ instructions.</p> <p>3.10.2001 Enforcement Notice issued 7th July 2001 to take effect 15th August 2001 with a one month compliance period – 15th September 2001.</p> <p>No appeal lodged, inspection revealed porch not removed, prosecution file being prepared by Conservation Section.</p> <p>2.1.2002 An appeal against refusal has been lodged, and the prosecution in respect of non-compliance with the Enforcement Notice will be adjourned pending the outcome of the appeal.</p> <p>3.4.2002 Informal hearing for appeal against refusal of planning permission is scheduled for 23rd April 2002. The prosecution resulting from non-compliance with the Enforcement Notice is pending the result of this hearing.</p> |

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| | | | <p>3.7.2002 The appeal against the refusal to grant listed building consent was dismissed 9th May 2002. Negotiations by the Conservation Section are under way to try and agree an acceptable timescale to remove the rear porch and make good the rear elevation.</p> <p>2.10.2002 An application S/1656/02/LB has been submitted which should resolve the matter.</p> <p>8.1.2003 Our Legal Department is still engaged in correspondence with the owner, with the possibility that the matter will be put before the court in the near future.</p> <p>2.4.2003 It has not been possible at this time to serve the summons as the owner is abroad.</p> <p>2.7.2003 No change.</p> <p>1.10.2003 No change.</p> <p>7.1.2004 It has been confirmed that the owner is still abroad. He has appointed an agent to manage the site and to try and resolve the outstanding matters. Negotiations continue.</p> <p>7.4.2004 No change.</p> |

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| | | | <p>7.7.2004 The owner is no longer represented by an agent and is still believed to be living abroad. At present we are unable to contact the owner.</p> <p>6.10.2004. No change</p> |
| <p>12/02 B/1/45/72 & S/1230/02/F The Stables Chesterton Fen Road MILTON</p> | <p>Unauthorised mobile home for residential use.</p> | <p>Development and Conservation Control Committee 7th August 2002. – Item 7</p> <p>Members authorised:-</p> <ol style="list-style-type: none"> 1. The issue of an Enforcement Notice to cease using the land for the stationing of a mobile home and associated hardstanding. 2. A compliance period of 6 months to comply with the Notice. 3. Prosecution in the Magistrates Court if the Enforcement Notice is not complied with and subject to reconsideration of all material factors. | <p>2.10.2002 File submitted to Legal Department for issue of Enforcement Notice.</p> <p>8.1.2003 Enforcement Notice issued 5th September 2002 to take effect on 20th October 2002. Enforcement Notice appealed Date fixed for 8th April 2003.</p> <p>2.4.2003 No change.</p> <p>2.7.2003 7th May appeal dismissed. Compliance date 7th November 2003.</p> <p>1.10.2003 No change. Compliance date 7th November 2003.</p> <p>7.1.2004 Enforcement Notice not complied with therefore a prosecution file is being prepared. A planning application S/1934/0/F is currently being determined. The application seeks to retain the mobile home in connection with the use of the site as a tropical plant nursery.</p> |

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| | | | <p>7.4.2004 Prosecution file submitted to Legal Office. An appeal against non-determination of S/1934/03/F has been listed for 7th September 2004.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Awaiting outcome of appeal heard on 7th September.</p> |
| <p>17/02 S/1452/02/F Land at Chesterton Fen Road MILTON</p> | <p>Without planning permission the stationing of mobile homes/caravans for residential use.</p> | <p>At Development and Conservation Control Committee 2nd October. Item 11.</p> <p>Members authorised:</p> <ol style="list-style-type: none"> 1) To issue an Enforcement Notice (should officers consider this necessary) to cease using the land for the stationing of mobile homes and associated hardstanding areas. 2) Should an Enforcement Notice be issued a six month compliance period. 3) Prosecution in the Magistrates Court if the Enforcement Notice is not complied with and subject to there being no material change in circumstances. | <p>8.1.2003 Interviews with occupiers of land have commenced.</p> <p>2.4.2003 No change.</p> <p>2.7.2003 Planning application S/0903/03/F to S/0931/03/F submitted for siting of gypsy caravans. Applications currently being considered. Awaiting outcome before proceeding with investigation.</p> <p>1.10.2003 Planning applications S/0903/03/F and S/0931/03/F refused.</p> <p>Appeal lodged.</p> <p>7.1.2004 Inquiry listed for 9th March 2004.</p> <p>7.4.2004 Awaiting outcome of appeal.</p> |

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| | | | <p>7.7.2004 No change.</p> <p>6.10.2004 Appeal dismissed on 1st July 2004. Now subject to a Judicial Review. No date fixed.</p> |
| <p>18/02 B/1/45/88 Rose and Crown Road SWAVESEY</p> | <p>Without planning permission using agricultural land for the siting of caravans/mobile homes for residential purposes and carrying out ancillary building works including laying of drains, septic tanks, mains electricity connections, accesses and hardstandings.</p> | <p>At Development and Conservation Control Committee 2nd October 2002 Section 4 Travellers in Swavesey Members were informed that under delegated powers Enforcement Notice E454 which takes effect on 30th October 2002 with a compliance period of one month and Stop Notices E454A and E454B had been issued.</p> <p>Members authorised proceedings in the Magistrates Court against the occupiers of the land.</p> | <p>8.1.2003 The case was adjourned at Cambridge Magistrates Court on 4th December 2002 to 17th February 2003.</p> <p>2.4.2003 Appeal against Enforcement Notices withdrawn.</p> <p>Appeal against refusal of planning permission for S/1966/02/F to S/1973/02/F continues. Appeal date fixed for 30th April 2003. The compliance period for the Enforcement Notices extended to 6 months and take effect on 20th July 2003.</p> <p>Proceedings in the Magistrates Court adjourned to 16th April.</p> <p>2.7.2003 Appeal against planning permission dismissed on 19th May 2003. Proceeding in the Magistrates Court for breach of Stop Notice adjourned to 25th June 2003.</p> <p>1.10.2003 Challenge to Inspector's decision being made to the High Court by the owners. Prosecution for breach of Stop Notices adjourned pending outcome.</p> |

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| | | | <p>7.1.2004 Appeal allowed by High Court. Case referred back to Planning Inspectorate to reconsider.</p> <p>7.4.2004 No date yet fixed for new appeal.</p> <p>7.7.2004 Public Inquiry on 16th June 2004.</p> <p>6.10.2004 Appeal dismissed on 22nd July 2004. Needs audit to be completed. Subject of a Judicial Review in relation to the issue of Stop and Enforcement Notices.</p> |
| <p>21/02 B/1/45/72 & S/1837/02 Land at Chesterton Fen Road, MILTON (known as 99 Ponyfield)</p> | <p>Unauthorised siting & residential use of mobile home.</p> | <p>Development & Conservation Committee 4th December 2002. Item 2.</p> <p>(1) Members authorised enforcement action.</p> <p>(2) A period of 6 months to comply with Notice.</p> <p>(3) That proceedings in the Magistrates Court be authorised in the event of failure to comply with such Notice and subject to reconsideration of all material factors.</p> | <p>8.1.2003 Draft instructions for Enforcement Notice in respect of breach of planning control sent to the Legal Department.</p> <p>2.4.2003 Enforcement Notice E456 7th February 2003. Takes effect on 31st March 2003 with a 6 month compliance period on 1st October 2003.</p> <p>2.7.2003 Enforcement Notice appealed.</p> <p>1.10.2003 22nd July 2003 appeal dismissed. Compliance date for Enforcement Notice 22nd January 2004.</p> <p>7.1.2004 No change.</p> |

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| | | | <p>7.4.2004 Compliance date being extended, subject to negotiations.</p> <p>7.7.2004 Compliance date extended to 1st January 2005.</p> <p>6.10.2004 No change.</p> |
| <p>6/03 S/2311/02/F Mobile Home The Oaks Meadow Road WILLINGHAM</p> | <p>Material change of use of land</p> | <p>Development and Conservation Control Committee 5th February 2003 – Item 32 Members authorised:</p> <ol style="list-style-type: none"> 1. The issue of an Enforcement Notice to cease the use and the removal of the converted portakabin, touring caravan and washroom. 2. A period of 6 months to comply with the Enforcement Notice. 3. That proceedings in the Magistrates Court in the event of failure to comply with such a Notice and subject to all material factors. | <p>2.4.2003 File submitted to Legal Office 14th February 2003 for issue of Enforcement Notice.</p> <p>2.7.2003 Enforcement Notice E463 issued 25th March 2003 to take effect 7th May 2003. Compliance period 6 months. Enforcement Notice appealed. Hearing fixed for 23rd September 2003</p> <p>1.10.2003 No change.</p> <p>7.1.2004 On 4th November 2003 an appeal was dismissed. Compliance period extended to 12 months. Compliance date 4th November 2004.</p> <p>7.4.2004 No change.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 No change.</p> |

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| <p>7/03 B/1/45/20 Land between Setchell Drove and Water Lane Smithy Fen COTTENHAM (A Land)</p> | <p>Material change of use of land as a residential caravan site, ancillary provision of drains and construction of accesses and hardstandings</p> | <p>Delegated authority to take Stop and Enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9.</p> <p>Stop Notice E460A issued 20th March to take effect on 25th March 2003. Enforcement Notice E460 issued 19th March to take effect 30th April 2003. Compliance period 3 months – 30th July 2003.</p> | <p>2.7.2003 Failed to comply with Stop Notice. Case listed at Cambridge Magistrates Court 25th June 2003. Enforcement Notice appealed. Hearing 14th October 2003.</p> <p>1.10.2003 Inquiry moved to 17th September 2003. Proceedings adjourned pending outcome of appeal.</p> <p>7.1.2004 On 14th October 2003 an appeal was allowed. Proceedings withdrawn as a result of appeal. Conditions imposed by appeal decision to be monitored. Remove from active list.</p> <p>7.4.2004 The appeal was allowed subject to conditions which were required within 3 months.</p> <ol style="list-style-type: none"> 1. A scheme for the layout of the site. 2. The provision of foul and surface water drainage. 3. Boundary treatment and landscaping. 4. Within 11 months a Scheme of Works shall have been approved. Details submitted are currently being considered and consulted upon. <p>7.7.2004 An update will be given by the Area Planning Officer.</p> <p>6.10.2004 Site being monitored. Negotiations continue concerning outstanding conditions. An update will be given by the Area Planning Officer.</p> |

| CASE NUMBER AND SITE | DETAILS OF CONTRAVENTION | ACTION TAKEN | PRESENT SITUATION |
|--|---|---|---|
| <p>8/03 B/1/45/20 Land between Setchell Drove and Water Lane Smithy Fen COTTENHAM (B Land)</p> | <p>Material change of use of land – forming an earth bund, laying hardcore and hardstanding</p> | <p>Delegated authority to take Stop and Enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9. Stop Notice E461A issued 20th March 2003. Enforcement Notice E461 issued 19th March 2003 to take effect on 30th April 2003. Compliance period 3 months – 30th July 2003.</p> | <p>2.7.2003 Enforcement Notice appealed. Planning applications S/0456/03/F, S/0457/03/F, S/0871/03/F, S/0872/03/F and S/0873/03/F refused.</p> <p>1.10.2003 Enforcement appeal hearing on 14th October 2003. Stop Notice E461D and Enforcement Notice E461C issued 29th August 2003 prohibiting the use of the land for the stationing of caravans/mobile homes for residential purposes.</p> <p>Stop Notice took effect 5th September 2003. Enforcement Notice takes affect on 30th September 2003 with a 3 month compliance period.</p> <p>Site visit on 8th September 2003 confirmed that there were caravans on site in breach of the Stop Notice. Investigations commenced.</p> <p>7.1.2004 On 18th November 2003 appeal dismissed. Compliance date 18th February 2004. Appeal outstanding on Enforcement Notice E461C. Listed for hearing on 10th February 2004. There were no caravans on this site on 5th December 2003.</p> <p>7.4.2004 Appeal Inquiry pending. Date not fixed.</p> <p>7.7.2004 Appeal inquiry listed for 20th July 2004.</p> <p>6.10.2004 Appeal inquiry adjourned on 23rd July to 23 November 2004.</p> |

| CASE NUMBER AND SITE | DETAILS OF CONTRAVENTION | ACTION TAKEN | PRESENT SITUATION |
|---|---|--|--|
| <p>9/03 B/1/45/20 Land between Setchell Drove and Water Lane COTTENHAM (G Land)</p> | <p>Material change of use of land as a residential caravan site, ancillary provision of drains and construction of accesses and hardstandings</p> | <p>Delegated authority to take enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9.</p> <p>Enforcement Notice E459 issued 19th March to take effect 30th April 2003. Compliance period 3 months – 30th July 2003.</p> | <p>2.7.2003 Enforcement Notice appealed. Hearing on 14th October 2003. Planning application S/0377/02/F refused on 13th March 2003.</p> <p>1.10.2003 Refusal of planning permission and Enforcement Notice appealed. Hearing on 14th October 2003.</p> <p>7.1.2004 On 18th November 2003 appeal dismissed. Compliance date 18th February 2004.</p> <p>7.4.2004 Enforcement Notice not complied with. Requires further investigation. An appeal against non-determination of planning application S/2505/03/F has provisionally been arranged for 20th July.</p> <p>7.7.2004 Appeal inquiry listed for 20th July.</p> <p>6.10.2004 Appeal Inquiry adjourned 23rd July to 23rd November 2004.</p> |
| <p>10/03 B/1/45/20 Land at Plot 2 and R/O Plot 3 Setchell Drove COTTENHAM</p> | <p>Material change of use of land as a residential caravans site ancillary provision of drains and construction of access and hardstandings</p> | <p>Delegate authority to take enforcement action. Reported to Development and Conservation Control Committee 2nd April 2003 – Item 9.</p> <p>Stop Notice E353N issued 19th May 2003 took effect 25th May 2003. Enforcement Notice E353N issued 19th May 2003 takes effect 30th June 2003.</p> | <p>2.7.2003 Enforcement Notice appealed.</p> <p>Stop Notice not complied with. Prosecution file being prepared.</p> <p>1.10.2003 Planning application S/1020/03/F refused 26th June 2003. Appeal against refusal of planning permission and Enforcement Notice. Hearing on 4th November 2003.</p> |

| CASE NUMBER AND SITE | DETAILS OF CONTRAVENTION | ACTION TAKEN | PRESENT SITUATION |
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| | | | <p>7.1.2004 Hearing moved to 29th January 2004.</p> <p>7.4.2004 Appeal allowed. Legal to update about possible legal grounds to challenge Planning Inspector's decision.</p> <p>7.7.2004 Subject of an appeal by the Council to the High Court against the Planning Inspector's decision.</p> <p>6.10.2004 Subject to a Judicial Review. No date fixed.</p> |
| <p>14/03 B/1/45/85 & S/1472/03/F 4 St Andrews Close STAPLEFORD</p> | <p>Unauthorised extension</p> | <p>At Development and Conservation Control Committee on 3rd September 2003 – Item 25. Members authorized:</p> <p>The issue of an Enforcement Notice for the removal of the unauthorised extension.</p> | <p>1.10.2003 File being prepared for issue of Enforcement Notice.</p> <p>7.1.2004 Enforcement Notice E468 issued 29th October 2003. Takes effect 1st December 2003. Compliance period 6 months. Appeal against refusal of planning permission and Enforcement Notice.</p> <p>7.4.2004 No change.</p> <p>7.7.2004 Enforcement Notice appeal dismissed. Compliance date 26th September 2004.</p> <p>6.10.2004 Enforcement Notice complied with. Remove from active list.</p> |

| CASE NUMBER AND SITE | DETAILS OF CONTRAVENTION | ACTION TAKEN | PRESENT SITUATION |
|---|--|---|--|
| <p>15/03 B/1/45/20 Land to rear of Plots 3, 4 and 5 Setchel Drove COTTENHAM</p> | <p>Material change of use of land as a residential caravan site.</p> | <p>Breach of Planning Enforcement Notices E353B, E353C and E353D issued 9th June 1999.</p> | <p>1.10.2003 File submitted to Legal Office for breach of Enforcement Notices.</p> <p>7.1.2004 No change.</p> <p>7.4.2004 No change.</p> <p>7.7.2004 Site now known as Victoria View. Planning application S/0761/04/F currently being determined.</p> <p>Injunction issued 4th May 2004 which took effect 4th June 2004. Restrained further hardcore being deposited on the site and required the removal of hardcore from plots 2, 5,, 6, 9 and 10. It also restrained further caravans, mobile homes onto the site.</p> <p>A site visit on 4th June confirmed that there was a breach of the injunction committal proceedings listed at Cambridge County Court on 16th July.. Legal Officer will give an update.</p> <p>6.10.2004 Resolved to ensure compliance by means of direct action and prosecution. Summons issued listed for hearing at Cambridge Magistrates Court on 29th September 2004.</p> |

| CASE NUMBER AND SITE | DETAILS OF CONTRAVENTION | ACTION TAKEN | PRESENT SITUATION |
|--|--------------------------------------|---|--|
| 16/03 B/1/45/39 & S/0181/03/LDC Shelford Lodge Cambridge Road GREAT SHELFORD | Unauthorised mobile home | Delegated authority given to issue an Enforcement Notice to remove the mobile home from the site. | <p>7.1.2004 File submitted to Legal Office for issue of Enforcement Notice</p> <p>7.4.2004 Enforcement Notice P246A issued 17th December 2003. Subject of an appeal provisionally arranged for 14th July.</p> <p>7.7.2004 Appeal adjourned pending outcome of planning application S/1018/04/F.</p> <p>6.10.2004 Appeal inquiry listed for 16th November 2004.</p> |
| 17/03 B/1/45/8 65 Wimpole Road BARTON | Unauthorised work on listed building | Delegated authority given to prosecute for unauthorised work. | <p>7.1.2004 Case listed at Cambridge Magistrates Court on 10th December 2003. Case adjournment to 17th December 2003. A verbal update will be given.</p> <p>7.4.2004 Prosecution for unauthorised work on listed building. Defendant appeared at Cambridge Magistrates Court on 28th January 2004. Fined £5,000 with £1,260 costs. Site being monitored by Conservation Department.</p> <p>7.7.2004 Listed Building Enforcement Notice E475 issued on 23rd March 2004 for unauthorised work. Compliance period 3 months from 23rd April 2004. Takes effect 23rd July 2004.</p> <p>6.10.2004 Prosecution file submitted to Legal Office for breaching Enforcement Notice.</p> |

| CASE NUMBER AND SITE | DETAILS OF CONTRAVENTION | ACTION TAKEN | PRESENT SITUATION |
|--|---|---|--|
| 18/03 B/1/45/80 & S/2229/03/F Primrose Meadow Cow Lane RAMPTON | Material change of use of land as a residential caravan site ancillary provision of drains and construction of accesses. | At Development and Conservation Control Committee on 3 rd December 2003. Item 12. Members authorized. 1. The issue of an Enforcement Notice and Stop Notice to prevent further development of the site. | <p>7.1.2004 Enforcement Notice E501 and Stop Notice E501A issued 5th December 2003. The Stop Notice takes effect on 10th December 2003. The Enforcement Notice takes effect on 15th January 2004. Planning application S/2229/03/F to be determined.</p> <p>7.4.2004 Enforcement Notice and refusal of planning permission appealed. Public Inquiry provisionally arranged for 6th July.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Appeal allowed on 7th September 2004. Remove from active list.</p> |
| 19/03 B/1/45/51 & S/2230/03/F Land adjacent to Moor Drove Cottenham Road HISTON | Without planning permission carrying out operational development by the laying of hardcore roadways and septic tanks on the site. | Delegated authority to take Stop and Enforcement action. Stop Notice E502 issued 11 th December 2003 to take effect on 15 th December 2003. Enforcement Notice E502 issued 11 th December 2003 to take effect on 12 th January 2004. Compliance period 3 months. Injunction issued 19 th December 2003 | <p>7.1.2004 Stop and Enforcement Notices issued</p> <p>7.4.2004 Enforcement Notices and refusal of planning permission appealed. Public Inquiry arranged for 10th August.</p> <p>7.7.2004 No change.</p> <p>6.10.2004 Appeal Inquiry adjourned on 10th August to 14th December 2004.</p> |

| CASE NUMBER AND SITE | DETAILS OF CONTRAVENTION | ACTION TAKEN | PRESENT SITUATION |
|---|--------------------------------------|--|--|
| 1/04 B/1/45/26 & S/2256/03/F Woodview Potton End ELTISLEY | Unauthorised structure above garage. | Delegated authority given to issue an Enforcement Notice to remove the unauthorised structure above the garage. | <p>7.4.2004 File submitted to Legal Office for issue of Enforcement Notice.</p> <p>Planning application, S/2256/03/F, refused. Appeal pending.</p> <p>7.7.2004 Enforcement Notice E478 issued 16th March 2004. Notice took effect on 20th April 2004 with a compliance period of 3 months. Compliance date 20th July 2004.</p> <p>6.10.2004 Appeal inquiry adjourned on 10th August to 14th December 2004.</p> <p>6.10.2004 Appeal against planning permission dismissed on 19th August 2004. Prosecution file to be submitted for breach of Enforcement Notice.</p> |
| 2/04 B/1/45/87 The Bury Newmarket Road STOW-CUM-QUY | Unauthorised extension | Delegated authority given to issue an Enforcement Notice to remove the unauthorised extension to an office building. | <p>7.4.2004 File submitted to Legal Office for issue of Enforcement Notice.</p> <p>7.7.2004 Enforcement Notice E473 to be re-issued.</p> <p>6.10.2004 Enforcement Notice E473A issued. Appeal provisionally arranged for 18th January 2005.</p> |
| 4/04 S/0453/04/F 65 Eland Way Teversham | Unauthorised building | Delegated authority given to issue Enforcement Notice to remove unauthorized building. | <p>7.7.2004 File submitted to Legal Officer for issue of Enforcement Notice.</p> |

| CASE NUMBER AND SITE | DETAILS OF CONTRAVENTION | ACTION TAKEN | PRESENT SITUATION |
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| | | Enforcement Notice E449 issued 16 th July 2004 and took effect on 18 th August 2004. Compliance period 3 months. | 6.10.2004 Enforcement Notice appealed. |
| 5/04 B/1/45/20 Set Broad Farm Oakington Road COTTENHAM | Unauthorised building | Delegated authority given to issue Enforcement and Stop Notices to remove unauthorized work to buildings. Enforcement Notices E472A and E472B issued. Enforcement Notice took effect on 5 th April 2004 with a 12 month compliance period. | 7.7.2004 Enforcement Notices subject to an appeal. The appeal has been adjourned pending determination of planning applications S/0938/04/F, S/0937/04LDC, S/0701/04/F, S/700/04/F and S/699/04/F. 6.10.2004 Enforcement Notice withdrawn as a result of determination of planning applications and Section 106 Agreement. |
| 6/04 B/1/45/71 S/0177/03/F Land adjacent to Kneesworth Road MELDRETH | Concerns about possible future development site. | Interim Injunction issued on 4 th June 2004 returnable to the High Court on 17 th June 2004. The Injunction restrains caravans, mobile homes and any other form of residential accommodation on the site using or causing or permitting the land for residential or any other non-agricultural purposes. A further application will be made to the High Court on 17 th June 2004 to extend the period. There is an extant Enforcement Notice E227 which was issued on 24 th November 1995 and took effect on 1 st January 1996. The Enforcement Notice requires the removal of caravans and for the land only to be used for agriculture. | 7.7.2004 There is an appeal against refusal of planning permission due to be heard on 27 th July 2004. An update will be given by our Legal Officer. 6.10.2004 Planning permission S/0177/03/F allowed on appeal on 13 th August 2004 for change of use of land to traveling show peoples quarters. Site being monitored. |
| 7/04 B/1/45/50 Hinxtion Grange Hinxtion | Installation of a fibrous plaster pre-made dome for light fitting in the kitchen ceiling. | Delegated Authority Listed Building Enforcement Notice E450 issued 4 th June 2004 to the effect on 15 th July 2004. Compliance period one month. | Enforcement Notice appealed. |

| CASE NUMBER AND SITE | DETAILS OF CONTRAVENTION | ACTION TAKEN | PRESENT SITUATION |
|---|---|---|--|
| 8/04 B/1/45/33 Berry House 33 High Street Waterbeach | Erection of fence within the cartilage of a listed building. | Delegated Authority. Enforcement Notice E490 issued 19 th July 2004 to take effect on 25 th August 2004. Compliance period two months. | Enforcement Notice appealed. |
| 9/04 B/1/45/88 Land adj Fen Road Swavesey | <ol style="list-style-type: none"> 1. Stationing of caravans for residential use without planning permission. 2. Unauthorised erection of a temporary stable. 3. Material change of use of land for breeding dogs. | <p>Delegated Authority. Stop Notice and Enforcement Notice E485B issued 17th August 2004. Stop Notice for residential use of caravans took effect on 7th September 2004. Enforcement Notice E485A issued 17th August 2004.</p> <p>The following to take effect on 17th September 2004:</p> <ol style="list-style-type: none"> 1) To cease to bring any further caravans onto the land. 2) Not to replace any caravan removed from the land. 3) To cease to bring any further vehicles not associated with agriculture or items ancillary thereto onto the land. 4) Not to replace vehicles associated with agriculture removed from the land. 5) Cease the use of the land for the stationing of residential caravans. 6) Remove all unauthorized caravans from the land and any associated work. <p>The following to take place on 17th December 2004:</p> <ol style="list-style-type: none"> 7) Cease to use the land for the stationing of vehicles not associated with agriculture and any commercial activity concerning the breeding of dogs. 8) Remove from the land any vehicles not connected with agriculture. | <p>6.10.2004 Verbal update to be given.</p> |

