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3 December 2012

To: Chairman – Councillor Robert Turner  
Vice-Chairman – Councillor David Bard  
All Members of the Planning Committee - Councillors , Val Barrett, Brian Burling,  
Lynda Harford, Sally Hatton, Tumi Hawkins, Sebastian Kindersley,  
David McCraith, Charles Nightingale, Deborah Roberts, Hazel Smith and  
Nick Wright

Quorum: 4

Dear Councillor

You are invited to attend the next meeting of **PLANNING COMMITTEE**, which will be held in the **COUNCIL CHAMBER, FIRST FLOOR** at South Cambridgeshire Hall on **WEDNESDAY, 5 DECEMBER 2012 at 10.00 a.m.**

Members are respectfully reminded that when substituting on committees, subcommittees, and outside or joint bodies, Democratic Services must be advised of the substitution *in advance of* the meeting. It is not possible to accept a substitute once the meeting has started. Council Standing Order 4.3 refers.

Yours faithfully  
**JEAN HUNTER**  
Chief Executive

**The Council is committed to improving, for all members of the community, access to its agendas and minutes. We try to take all circumstances into account but, if you have any specific needs, please let us know, and we will do what we can to help you.**

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#### AGENDA SUPPLEMENT

21. Enforcement Action Update

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#### EXCLUSION OF PRESS AND PUBLIC

The law allows Councils to consider a limited range of issues in private session without members of the Press and public being present. Typically, such issues relate to personal details, financial and business affairs, legal privilege and so on. In every case, the public interest in excluding the Press and Public from the meeting room must outweigh the public interest in having the information disclosed to them. The following statement will be proposed, seconded and voted upon.

"I propose that the Press and public be excluded from the meeting during the consideration of the following item number(s) ..... in accordance with Section 100(A) (4) of the Local Government Act 1972 on the grounds that, if present, there would be disclosure to them of exempt information as defined in paragraph(s) ..... of Part 1 of Schedule 12A of the Act."

If exempt (confidential) information has been provided as part of the agenda, the Press and public will not be able to

view it. There will be an explanation on the website however as to why the information is exempt.

### **Notes**

- (1) Some development control matters in this Agenda where the periods of consultation and representation may not have quite expired are reported to Committee to save time in the decision making process. Decisions on these applications will only be made at the end of the consultation periods after taking into account all material representations made within the full consultation period. The final decisions may be delegated to the Corporate Manager (Planning and Sustainable Communities).
- (2) The Council considers every planning application on its merits and in the context of national, regional and local planning policy. As part of the Council's customer service standards, Councillors and officers aim to put customers first, deliver outstanding service and provide easy access to services and information. At all times, we will treat customers with respect and will be polite, patient and honest. The Council is also committed to treat everyone fairly and justly, and to promote equality. This applies to all residents and customers, planning applicants and those people against whom the Council is taking, or proposing to take, planning enforcement action. More details can be found on the Council's website under 'Council and Democracy'.

## SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Planning Committee

5 December 2012

AUTHOR/S: Planning and New Communities Director

## ENFORCEMENT REPORT

## Purpose

- To inform Members about planning enforcement cases, as at 22 November 2012. Summaries of recent enforcement notices are also reported, for information.

## Enforcement Cases Received and Closed

Period	Cases Received	Cases Closed
October 2012	45	62
September 2012	46	62
Q 1 (Jan – March) 2012	127	107
Q 2 (April – June ) 2012	107	96
Q 3 (July – September) 2012	98	148
<b>Total YTD</b>	<b>332</b>	<b>351</b>

## Cases on hand:

- Target 150
- Actual 115

## Notices Served

Type of Notice	Period	Year to date
	October 2012	2012
Enforcement	0	3
Stop Notice	0	0
Temporary Stop Notice	0	0
Breach of Condition	0	0
S215 – Amenity Notice	0	2
Planning Contravention Notice	1	6

Injunctions	0	1
High Hedge Remedial Notice	0	0

#### Notices issued since the last Committee Report

6.

Ref. no.	Village	Address	Notice issued
7/12	Eltisley	Wood View, Potton End	Planning Contravention Notice

7. Although there was only one notice issued during the month of October details of all enforcement reports are sent electronically to members identifying opened and closed cases in their respective areas along with case reference numbers, location, case officer and nature of problem reported.

8. Full details of enforcement cases can be found on the Councils Web-site

#### Updates on items outstanding from the disbanded Planning Enforcement Sub-Committee

9. Updates are as follows:

**a. Stapleford: Breach of Enforcement Notice on land adjacent to Hill Trees, Babraham Road.**

The direct action approved by the Planning Sub-Committee was challenged in the High Court and leave was granted to apply for a Judicial review (JR) – Upon advice from Counsel the direct action was suspended to avoid a costly legal challenge. A comprehensive file has been compiled relating to the planning and enforcement information to-date and is now to be reviewed by Counsel with a view to take alternative action. Further inspection of the land has been carried out with the results being compiled along with witness statements as part of the action currently being instigated.

**b. Q8, Foxton**

Senior Lawyer informed Members that the planning application had still not been made.

**c. Moor Drove, Histon**

Enforcement notice ENF/301/11 issued 13th April 2012 relating to plot 4 Moor Drove, re Storage of scrap materials and stationing of a container – Progress being made re the removal of materials however further inspection carried out on the 29th August 2012 revealed compliance with the enforcement notice still not fully carried out. Matter discussed with Legal - Warning letter issued requesting full compliance by the owner with the enforcement notice. Partial compliance with the notice made - Planning application submitted 1<sup>st</sup> October ref 2062/12/FL to address outstanding matters. Awaiting validation

**d. 23 Howard Road Meldreth**

Section 106 outstanding payments. Matters now resolved papers to be

returned to mortgage provider for execution – Once completed this will put in place an agreement for regular staged payments. No further progress at the time of this report

**e. Whittlesford – Scrapyard**

Issues relating to mud on road have been addressed by County Council. Matters' relating to noise are being progressed - Retrospective planning application to be submitted for the weighbridge and separate planning application for the boundary fencing. Acoustic fencing scheme submitted for consideration – Retrospective application to follow once scheme accepted in principal.

**Summary**

10. The number of enforcement cases investigated during October showed a 40% reduction when compared to the same month in 2011. The numbers of cases on hand are 23% below the expected number of cases per enforcement officer for the same period.
11. In addition to the above work officers are also involved in the current enforcement and inspection review and the Tasking and Coordination group which deals with cases that affect more than one department within the organisation.

**Background Papers: the following background papers were used in the preparation of this report:** None

**Contact Officer:** Charles Swain  
Principal Planning Enforcement Officer

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