

ENFORCEMENT ACTION

PROGRESS REPORT – 6th July 2011

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<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>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refusal of planning permission for the retention of a day room on Plot 10 S/0024/03 refers but the appeal has now been withdrawn. 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. 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 &10</p> <p>7.7.2004 Cases listed at Cambridge Magistrates Court for 30th June 2004.</p> <p>6.10.2004 Cases listed for plots 7 and 10 at Cambridge Magistrates Court on 29th September 2004.Resolved to take Direct Action for breach of extant Enforcement Notices to the rear of plots 2 to 8 Setchel Drove.</p>

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			<p>5.1.2005 Prosecution for plot 7 discontinued due to change of ownership. Prosecution for plot 10 adjourned to 6th January 2005. Legal representations being considered concerning direct action.</p> <p>6.7.2005 Prosecution adjourned to 5th August 2005 at Cambridge Magistrates Court. Planning application S/0066/05/F not determined.</p> <p>5.10 2005 Case adjourned to 20th October 2005.</p> <p>4.1.2006 Defendant of Plot 10 appeared before Cambridge Magistrates Court on 20th October. Pleaded guilty, given Conditional Discharge for 3 years. Awarded costs of £640.</p> <p>4.10.2006 Variation of condition 2 of planning application S/0416/06/F refused. Awaiting appeal. Plots 7 and 7A not currently occupied.</p> <p>10.1.2007 Further investigations required in respect of Four Winds and plots 7, 7A and 10.</p> <p>4.4.2007 Plot 7, 7A and Four Winds unoccupied. Plot 10 Appeal pending.</p> <p>4.7.2007 No Change.</p>

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			<p>3.10.2007 Plots 7, 7A and Four Winds being monitored. Plot 10 allowed on appeal on 20th August 2007. Remove plot 10 from active list.</p> <p>9.1.2008 No change</p> <p>2.4.2008 No change</p> <p>2.7.2008 No change</p> <p>1.10.2008 No change</p> <p>14.01.2009 No Change</p> <p>1.04.2009 No change</p> <p>1.07.2009 No Change</p> <p>7.10.2009 No Change.</p> <p>13.1.2010 No change</p> <p>7.4.2010 No Change</p>

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<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</p> <p>Members authorised</p> <ul style="list-style-type: none"> 5 To seek an injunction. 5 To issue Enforcement Notice if the application for an injunction was refused. 5 A Period of three months to comply with any Enforcement Notice issued. 5 That in the event of failure to comply with the Notice and subject to they're being no material change in circumstances proceedings is taken in the Magistrates Court. 	<p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.04.2011 No Change</p> <p>6.07.2011 No change</p> <p>The necessary information and documentation to seek an injunction is currently being processed. Letters of intended actions served upon contraveners, 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 took effect on 15th July 1999 and has a compliance period of 6 months.</p> <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>

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			<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> <p>3.10.2001 A pre-trial hearing scheduled for 23rd September 2001.</p>

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			<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: A Webb (Senior) fined £3,500, costs £1,500, 2 months imprisonment in default of payment of fines. A Webb fined £1,000, £1,500 costs. M Webb fined £1,000, £1,500 costs.</p> <p>A letter has been sent by the Legal Office to the defendant's 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</p>

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			<p>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.</p> <p>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> <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>

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			<p>5.1.2005 Negotiations continue.</p> <p>6.4.2005 Waiting for response to meeting held on 14th March 2005.</p> <p>6.7.2005 Legal Office requested to proceed with further prosecution.</p> <p>5.10.2005 Further evidence being obtained.</p> <p>4.1.2006 Development of authorised site being monitored as owners is expected to move onto the authorised site.</p> <p>5.4.2006 No change.</p> <p>5.7.2006 No change.</p> <p>4.10.2006 Compliance period extended to 1st November 2006.</p> <p>10.1.2007 Prosecution file to be submitted to Legal Office.</p> <p>4.4.2007 Prosecution file submitted to Legal Office.</p> <p>4.7.2007 Three defendants appeared before Cambridge Magistrates Court on 15th May 2007. Each given a conditional discharge for 18 months with £200 costs.</p>

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			<p>3.10.2007 Await determination of planning application S/1653/07/F as defendants indicate their intention to move to the site at Southgate Farm, Fen Road, Chesterton if application is approved.</p> <p>9.1.2008 No change</p> <p>2.4.2008 No change</p> <p>2.7.2008 No change</p> <p>1.10.2008 Planning permission S/1653/07/f approved 12th August 2008 Site visit to be made after the 15th November 2008 to confirm compliance.</p> <p>14.01.2009 Letter received from defendants Solicitors regarding current circumstances – File submitted to Legal for opinion.</p> <p>1.04.2009 Defendant's circumstances remain unchanged, Legal Officer informed of latest position.</p> <p>1.07.2009 No change</p> <p>7.10.2009 No change</p> <p>13.1.2010</p>

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			<p>No change</p> <p>7.4.2010 No Change</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.4.2011 Defendants indicate their intention to move to the site at Southgate Farm, Chesterton Fen Road by July 2011</p> <p>6.07.11 Waiting delivery of replacement mobile home</p>
<p>10/03 Plot 12 Victoria View Smithy Fen 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. Stop Notice E353N issued 19th May 2003 took effect on 25th May 2003. Enforcement Notice E353N issued 19th May 2003 took effect on 30th June 2003.</p>	<p>2.7.2003 Enforcement Notice appealed. 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> <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>

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			<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>5.1.2005 Awaiting outcome of appeal.</p> <p>6.4.2005 Case to be re-determined by the Planning Inspectorate. Date not yet fixed for hearing.</p> <p>6.7.2005 Public inquiry listed for 12th July 2005.</p> <p>5.10.2005 Awaiting appeal decision</p> <p>4.1.2006 Appeal dismissed. Enforcement Notice took effect on 7th December 2006.</p> <p>5.4.2006 Subject of an appeal to the High Court against the Planning Inspector decision.</p> <p>5.7.2006 No change.</p> <p>4.10.2006 No change.</p> <p>10.1.2007</p>

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			<p>Awaiting decision of appeal to the High Court.</p> <p>4.4.2007 Appeal to the High Court dismissed. Proceeding with application for injunction.</p> <p>4.7.2007 No Change.</p> <p>3.10.2007 Site being monitored. Not currently proceeding with any legal action as a result of decision by Planning Sub-Committee on 18th June and 3rd August 2007. Authority given to take direct action.</p> <p>9.1.2008 No change</p> <p>2.4.2008 No change</p> <p>2.7.2008 No change</p> <p>1.10.2008 No change</p> <p>14.01.2009 No change</p> <p>1.04.2009 No change</p> <p>1.07.2009 Further assessment of the occupants' medical needs to be carried out in order that the Planning Sub-committee can be</p>

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			<p>informed of the current position at plot 12 Victoria View.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 Further planning application submitted reference no S/1178/09/F - Refused at Planning Committee 3rd March 2010 Report to be submitted to Planning Sub Committee.</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011</p> <p>17th November The Planning Enforcement Sub-Committee considered a report relating to Plots 12 Victoria View, 15 Water Lane, and 5, 5A, 6, 10 and 11 Orchard Drive, all at Smithy Fen, Cottenham, as they remain either in active residential occupation or developed for residential occupation in breach of planning control, following the Sub-Committee's resolution on 21 July 2010 to enforce against continuing breaches. A further report to be submitted to the Sub-Committee upon determination of the Section 78 Appeal presently running in respect of plot 12 Victoria View, with recommendations dependant upon the outcome of that Appeal</p>

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			<p>6.04.2011 Appeal allowed subject to conditions set within the decision notice dated 4th February 2011.</p> <p>6.07.11 Conditions currently being monitored remove from listing</p>
<p>19/03 B/1/45/51 & S/2230/03/F Land adjacent to Moor Drove Cottenham Road HISTON</p>	<p>Without planning permission carrying out operational development by the laying of hardcore roadways and septic tanks on the site.</p>	<p>Delegated authority to take Stop and Enforcement action. Stop Notice E502 issued 11th December 2003 to take effect on 15th December 2003. Enforcement Notice E502 issued 11th December 2003 to take effect on 12th January 2004. Compliance period 3 months. Injunction issued 19th December 2003.</p>	<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> <p>5.1.2005 No change.</p> <p>6.4.2005 Appeal hearing adjourned until 14th April 2005.</p> <p>6.7.2005 Awaiting appeal decision</p> <p>5.10.2005 Appeal dismissed 2nd August 2005. An appeal is being made to the High Court.</p> <p>4.1.2006</p>

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			<p>No change.</p> <p>5.4.2006 Appeal dismissed. Currently considering options for dealing with the breach of the Enforcement Notice.</p> <p>5.7.2006 Planning application S/0647/06/F – withdrawn.</p> <p>4.10.2006 No change.</p> <p>10.1.2007 Proceeding with injunctive action.</p> <p>4.4.2007 No change.</p> <p>4.7.2007 No Change</p> <p>3.10.2007 Case listed for a hearing in the High Court in October 2007.</p> <p>2.4.2008 Hearing at High Court concluded on 22nd February 2008. Awaiting Decision.</p> <p>9.1.2008 Case adjourned now listed for hearing in February.</p> <p>2.7.2008 Application for injunction in the High Court refused by The Hon. Mr Justice Plender on the basis that granting of an injunction would be disproportionate whilst there remains a ‘real prospect’</p>

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			<p>of the planning position being regularised by the appeal process that is currently in hand. Planning Appeal listed for 8 July 2008.</p> <p>1.10.2008 Appeal allowed – Planning conditions to be monitored.</p> <p>14.01.2009 All schemes required as part of the planning conditions have been submitted within timescale.</p> <p>1.04.2009 No change</p> <p>1.07.2009 The planning officer has requested further information in order that the schemes relating to conditions can be discharged.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 No Change</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p>

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			<p>6.04.2011 No change</p> <p>6.07.2011 No change</p>
<p>9/04 B/1/45/88 Land adj Cow Fen Drove SWAVESEY</p>	<p>5 Stationing of caravans for residential use without planning permission.</p> <p>5 Unauthorised erection of a temporary stable.</p> <p>3. Material change of use of land for breeding dogs.</p>	<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 took effect on 17th September 2004:</p> <ul style="list-style-type: none"> 5 To cease to bring any further caravans onto the land. 5 Not to replace any caravan removed from the land. 5 To cease to bring any further vehicles not associated with agriculture or items ancillary thereto onto the land. 5 Not to replace vehicles not associated with agriculture to be removed from the land. 5 Cease the use of the land for the stationing of residential caravans. 	<p>6.10.2004 Verbal update to be given.</p> <p>5.1.2005 Enforcement Notice appealed.</p> <p>6.4.2005 Awaiting outcome of appeal.</p> <p>6.7.2005 No change.</p> <p>5.10.2005 Appeal dismissed. Compliance date for 1, 2, 3 and 4 – 22nd July 2005. 5, 6, 7 and 8 – 22nd October 2005.</p> <p>4.1.2006 Prosecution file submitted to Legal Office for breach of enforcement notice.</p> <p>5.4.2006 Defendants appeared before Cambridge Magistrates Court on 9th March and were given a conditional discharge for 2 years and costs awarded of £400. Further prosecution being considered.</p> <p>5.7.2006 Further proceedings commenced. Case adjourned on 8th June to 6th July. Warrant issued for the arrest of the defendant (backed for bail).</p>

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		<p>5 Remove all unauthorized caravans from the land and any associated work.</p> <p>The following took place on 17th December 2004:</p> <p>5 Cease to use the land for the stationing of vehicles not associated with agriculture and any commercial activity concerning the breeding of dogs.</p> <p>8. Remove from the land any vehicles not connected with agriculture.</p>	<p>4.10.2006 Defendants pleaded guilty at Cambridge Magistrates Court on August and each was fined £1000 with costs of £951.62. A letter has been sent to the defendants legal representative giving them 28 days to resolve the matter</p> <p>10.1.2007 Further prosecution file submitted to Legal Office.</p> <p>4.4.2007 Case listed at Cambridge Magistrates Court for 26th April 2007.</p> <p>4.7.2007 Case adjourned on 26th April 2007 to 2pm on 5th July.</p> <p>3.10.2007 Unauthorised stables removed. Case adjourned on 16th August 2007 to 11th October 2007.</p> <p>9.1.2008 Case adjourned to 2pm on 10th January 2008.</p> <p>2.4.2008 Defendants appeared before Cambridge Magistrates Court on 10th January 2008. Fined a total of £1400 with £400 costs. Injunctive action currently being considered by Legal.</p> <p>2.7.2008 No change.</p> <p>1.10.2008 Refusal of planning permission S/1823/07/F and S/1834/07/F appealed.</p>

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			<p>14.01.2009 Hearing date listed for 6th January 2009</p> <p>1.04.2009 Planning appeal for S/1834/07/F (Appeal A) allowed subject to conditions. Planning appeal for S/1823/07/F (Appeal B) dismissed for the provision of a static /mobile home. Failure by the appellants to confirm details within a prescribed time frame for cessation of the residential occupation and removal of the caravan and any other vehicles used in connection with residential occupancy. A file has been submitted to the Legal Officer to issue an Injunction in the High Court pursuant to section 187B of the Town & Country Planning Act 1990.</p> <p>1.07.2009 Defendants currently in discussions/ negotiations with housing and legal departments to comply with cessation of residential use at the premises.</p> <p>7.10.2009 Negotiations have failed to provide an acceptable solution. Legal Officer to pursue Injunctive action.</p> <p>13.1.2010 Injunction Order granted 4th November 2009 by His Honour Justice Seymour, requiring the Owners to cease residential occupancy by the 2nd December 2009. Site inspection carried out on the 3rd December 2009 revealed that the Order had not been complied with. Legal Officer informed.</p> <p>7.4.2010 Formal warning letter issued to the defendants to vacate the premises. Further inspections confirmed that although the touring caravan had been removed from the site the defendants</p>

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			<p>were still residing at the premises contrary to the Injunction Order. Committal Order instigated.</p> <p>7.7.2010 Defendants found guilty of contempt and were ordered to be committed to prison for a period of three months, suspended provided that the residential use of the land ceased and residential paraphernalia removed by the 4th June 2010. In addition the defendants were ordered to pay costs totalling £9556</p> <p>Further inspection carried out confirmed compliance with the Order. Monitoring to continue</p> <p>6.10.2010 No change – Monitoring continues</p> <p>12.01.2011 No change – Monitoring continues</p> <p>6.04.2011 No change – Monitoring continues</p> <p>06.07.2011 Monitoring visits have confirmed that the one of the defendants is still residing on site and is therefore in breach of the Injunction Order The defendant appeared at the High Court on 22nd June 2011 and was found to be in contempt of court and was sentenced to 90 days imprisonment and ordered to pay the Councils costs totalling £7,135.00p</p>
<p>13/05 B1/45/20</p>	<p>Stationing of Caravans without permission</p>	<p>Delegated authority given to take enforcement action. Enforcement</p>	<p>5.10.2005 Appeal dismissed. Compliance date 30th September 2005.</p>

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Plots 5,5a, 6, 10 & 11 Orchard Drive COTTENHAM		Notices E506A to E506E inc. issued on 22 nd June 2005 to take effect on 31 st July 2005. Compliance period 3 months.	<p>Enforcement Notices E506A to E506E inc. appealed.</p> <p>4.1.2006 No change.</p> <p>5.4.2006 No change.</p> <p>5.7.2006 Plot 5 Appealed dismissed 4th May 2006. Compliance date 4th August 2006. Plots 5A, 6 and 10 appeals dismissed 8th June 2006. Compliance date 8th September. Plot 11 Appeal withdrawn. Compliance date 8th September 2006.</p> <p>4.10.2006 Planning applications S/1631/06/F submitted. Await outcome.</p> <p>10.1.2007 No change.</p> <p>4.4.2007 Planning application S/1631/06/F to be determined.</p> <p>4.7.2007 Planning application S/1631/06/F refused on 19th April 2007. Preparing application for an injunction.</p> <p>3.10.2007 Refusal of planning application S/1631/06/F appealed.</p> <p>9.1.2008 Planning inquiry listed for 15th January 2008.</p> <p>2.4.2008 Planning inquiry listed for 11th March 2008.</p>

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			<p>Adjourned for appeal to be dealt with by written representations.</p> <p>2.7.2008 Appeal dismissed 2nd June 2008. Report to be considered by Planning Sub Committee.</p> <p>1.10.2008 No change.</p> <p>14.01.2009 No change.</p> <p>1.04.2009 No change.</p> <p>1.07.2009 No change.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 Further report to be considered by Planning Sub Committee</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change – Needs Audits to be carried out</p> <p>12.01.2011 The Planning Enforcement Sub-Committee considered a report</p>

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			<p>relating to Plots 12 Victoria View, 15 Water Lane, and 5, 5A, 6, 10 and 11 Orchard Drive, all at Smithy Fen, Cottenham, as remain either in active residential occupation or developed for residential occupation in breach of planning control, following the Sub-Committee's resolution on 21 July 2010 to enforce against continuing breaches.</p> <p>The report highlighted the specific and relevant circumstances to be considered in each case, and sought approval for the commencement of immediate High Court proceedings against those in occupation and / or control of the six plots pursuant to Section 187B of the Town and Country Planning Act 1990 for an Injunction requiring the cessation of any continuing unauthorised residential occupation and the removal of all associated caravans, mobile homes, residential paraphernalia, surfacing and / or hard-standings, and any other built or engineered development facilitating or intended to facilitate residential occupation.</p> <p>The Planning Enforcement Sub-Committee resolved that</p> <ol style="list-style-type: none"> 1. An application, be suspended for four months to facilitate the consideration of compulsory purchase powers and/or rescission of consents under Sections 97 or 102 of the Town and Country Planning Act 1990, be made to the High Court for injunctive relief under Section 187B of the Town and Country Planning Act 1990 to remedy and restrain then continuing breaches of development control, against those adults identified in this report and appendices as being either an owner and/or an occupier of the plots at 15 Water Lane, and at 5, 5A, 6, 10 and 11 Orchard Drive, and against persons unknown in respect of those plots. 2. A further report be submitted to the Sub-Committee upon determination of the Section 78 Appeal presently running in respect of plot 12 Victoria View, with recommendations dependant upon the outcome of that

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			<p>Appeal.</p> <p>6.04.2011 Planning Enforcement Sub-Committee resolved that SCDC make an application to the High Court for Injunctive relief under section 187B of the Town & Country Planning Act 1990 to remedy and restrain continuing breaches of development control, against those adults identified as being either an owner and /or an occupier of plots 5,5A, 6, 10, 11 Orchard Drive and 15 Water Lane, and against persons unknown in respect of those plots, upon the completion of updated needs audits, and provided these do not indicate any change in personal circumstances requiring further consideration by the sub-committee.</p> <p>6.07.2011 No change</p>
<p>4/06 B/1/45/20 S/2227/04/F Land off Water Lane (Plot 15) Smithy Fen COTTENHAM</p>	<p>Material change of use of land to a residential caravan Site and the provision of hardstandings</p>	<p>Development and Conservation Control Committee on 4th January 2006 item 14 injunctive and Members authorised Enforcement Action for the removal of mobile homes, caravans, day room and hardstandings. Compliance period 12 months.</p>	<p>5.4.2006 File submitted to the Legal Office for the issue of an Enforcement Notice.</p> <p>5.7.2006 Enforcement Notice E536 issued 11th April 2006. Enforcement Notice appealed.</p> <p>4.10.2006 No change.</p> <p>10.1.2007 Appeal due to be heard on 3rd January 2007.</p> <p>4.4.2007 Appeal dismissed on 29th January 2007. Compliance date 28th</p>

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			<p>January 2008.</p> <p>4.7.2007 No Change.</p> <p>3.10.2007 No Change.</p> <p>9.1.2008 No change.</p> <p>2.4.2008 Enforcement Notice not complied with. Legal options currently being considered.</p> <p>2.7.2008 Application being made for an injunction.</p> <p>1.10.2008 File submitted for an application for an injunction.</p> <p>14.01.2009 No change.</p> <p>1.04.2009 No change.</p> <p>1.07.2009 No Change.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.4.2010 Report to be considered by Planning Sub Committee</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change – Needs audits undertaken</p> <p>12.01.2011 The Planning Enforcement Sub-Committee considered a report relating to Plots 12 Victoria View, 15 Water Lane, and 5, 5A, 6, 10 and 11 Orchard Drive, all at Smithy Fen, Cottenham, as remain either in active residential occupation or developed for residential occupation in breach of planning control, following the Sub-Committee’s resolution on 21 July 2010 to enforce against continuing breaches.</p> <p>The report highlighted the specific and relevant circumstances to be considered in each case, and sought approval for the commencement of immediate High Court proceedings against those in occupation and / or control of the six plots pursuant to Section 187B of the Town and Country Planning Act 1990 for an Injunction requiring the cessation of any continuing unauthorised residential occupation and the removal of all associated caravans, mobile homes, residential paraphernalia, surfacing and / or hard-standings, and any other built or engineered development facilitating or intended to facilitate residential occupation.</p> <p>The Planning Enforcement Sub-Committee resolved that</p> <ol style="list-style-type: none"> 1. An application, be suspended for four months to facilitate the consideration of compulsory purchase powers and/or rescission of consents under Sections 97 or 102 of the Town and

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Country Planning Act 1990, be made to the High Court for injunctive relief under Section 187B of the Town and Country Planning Act 1990 to remedy and restrain then continuing breaches of development control, against those adults identified in this report and appendices as being either an owner and/or an occupier of the plots at 15 Water Lane, and at 5, 5A, 6, 10 and 11 Orchard Drive, and against persons unknown in respect of those plots.</p> <p>2. A further report be submitted to the Sub-Committee upon determination of the Section 78 Appeal presently running in respect of plot 12 Victoria View, with recommendations dependant upon the outcome of that Appeal.</p> <p>6.04.2011 Planning Enforcement Sub-Committee resolved that SCDC make an application to the High Court for Injunctive relief under section 187B of the Town & Country Planning Act 1990 to remedy and restrain continuing breaches of development control, against those adults identified as being either an owner and /or an occupier of plots 5,5A, 6, 10, 11 Orchard Drive and 15 Water Lane, and against persons unknown in respect of those plots, upon the completion of updated needs audits, and provided these do not indicate any change in personal circumstances requiring further consideration by the sub-committee.</p> <p>6.07.2011 No change</p>
8/06 B/1/45/70	Materials change of use of land for use as a	Development and Conservation Committee on 7 th December 2005	5.4.2006 File submitted to the Legal Office for the issue of an

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>S/2006/06/F 1 London Way Clunchpits MELBOURN</p>	<p>builder's yard.</p>	<p>item 16. Members authorised Enforcement Action for the unauthorised use to cease and for the removal of unauthorised structures hardstandings and storage containers.</p>	<p>Enforcement Notice.</p> <p>5.7.2006 Enforcement Notice E527 issued 7th April 2006. Enforcement Notice appealed.</p> <p>4.10.2006 No change.</p> <p>10.1.2007 Appeal being heard on 9th January 2007.</p> <p>4.4.2007 Appeal allowed in part and dismissed in part. Compliance date 22nd August 2007.</p> <p>4.7.2007 No Change</p> <p>3.10.2007 Site visit being made to verify compliance.</p> <p>9.1.2008 No change.</p> <p>2.4.2008 Notice complied with in part. Negotiations continue.</p> <p>2.7.2008 No change.</p> <p>1.10.2008 No change.</p> <p>14.01.2009 Landscaping scheme now approved. Highways &</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>Environmental Health issues reviewed on site. Findings to be published shortly.</p> <p>1.04.2009 No change, findings still to be published.</p> <p>1.07.2009 No change, findings still to be published.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 No Change – Matter to be referred back to Planning Officer</p> <p>7.7.2010 No change</p> <p>6.10.2010 Institute Occupational Management to undertake a further risk assessment on the right of way / asbestos issue</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>7/07 B/1/45/8 The Drift Cambridge Road BARTON</p>	<p>Material change of use of land for manufacturing storage and commercial distribution of paving slabs and the erection of two buildings.</p>	<p>Enforcement Notice 2115 issued 14th May 2007. Took effect on 15th June 2007. Compliance period 6 months.</p>	<p>4.7.2007 Enforcement Notice appealed.</p> <p>9.1.2008 No change.</p> <p>2.4.2008 No change.</p> <p>2.7.2008 Appeal dismissed 1st April 2008 Compliance date 1st October 2008</p> <p>1.10.2008 No change.</p> <p>14.01.2009 Partial compliance. Discussions continue</p> <p>1.04.2009 No change.</p> <p>1.07.2009 No change.</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 No Change</p> <p>7.7.2010 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>6.10.2010 No change – Discussions continue</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p>
<p>16/07 38 Silver Street WILLINGHAM</p>	<p>Unauthorised work on Listed building.</p>	<p>Delegated Authority. Enforcement Notice 2680 issued 28th September 2007. Compliance period 6 months.</p>	<p>2.4.2008 At Cambridge Magistrates Court on 10th January 2008 the owner was fined £10,000 for unauthorised works. A Listed building planning application S/0192/08/LB has been submitted which complies with part of the Enforcement Notice. The site is now being monitored.</p> <p>2.7.2008 No change.</p> <p>1.10.2008 Planning application approved Compliance date to be monitored.</p> <p>14.01.2009 No Change.</p> <p>1.04.2009 Monitoring still taking place by Conservation Team.</p> <p>1.07.2009 No change.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.10.2009 No change</p> <p>13.1.2010 Owner interviewed regarding failure to instigate remedial works. Timetable agreed.</p> <p>7.4.2010 Works commenced</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 Works continue</p> <p>6.04.2011 Majority of work now complete although minor finishes to be completed. House still unoccupied</p> <p>6.07.2011 No change</p>
<p>5/08 B/1/45/72 Plots 27 & 28 Newfield's Fen Road, Chesterton, MILTON</p>	<p>Unauthorised dwelling, garage and utility building.</p>	<p>Delegated authority to take enforcement action.</p>	<p>2.7.2008 Enforcement Notice 2813 issued 9th April 2008 Compliance period 4 months.</p> <p>Enforcement Notice appealed.</p> <p>1.10.2008</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>No change</p> <p>14.01.2009 Hearing date to be confirmed. Fresh application submitted.</p> <p>1.04.2009 No Change.</p> <p>1.07.2009 Appeal dismissed 6th May 2009 – Four months compliance period.</p> <p>7.10.2009 Further planning application received and registered.</p> <p>13.1.2010 Application S/1170/09 approved 24th November 2009, Conditions to be monitored.</p> <p>7.4.2010 Further planning application submitted – Ref: S/0246/10/F</p> <p>7.7.2010 Pending decision</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.04.2011 Planning permission refused</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>6.07.2011 No change</p>
<p>6/08 B/1/45/72 Plot 6 Sunningdale Fen Road Chesterton, MILTON</p>	<p>Unauthorised dayroom building.</p>	<p>Delegated authority to take enforcement action.</p>	<p>2.7.2008 Enforcement Notice 2952 issued 16th May 2008. Compliance period 6 months.</p> <p>1.10.2008 Notice appealed.</p> <p>14.01.2009 Inquiry date 10th February 2009.</p> <p>1.04.2009 Appeal allowed on ground (a) and conditional planning permission granted. Conditions to be monitored.</p> <p>1.07.2009 Compliance period six months i.e. by 18th August 2009.</p> <p>7.10.2009 Planning application received and registered.</p> <p>13.1.2010 Application S/1154/09 approved 5th October 2009 – Conditions to be monitored.</p> <p>7.4.2010 No Change</p> <p>7.7.2010 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>6.10.2010 Original building not removed as per condition – File to be submitted to Legal.</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p>
<p>12/08 Plot 4 Moor Drove HISTON</p>	<p>Unauthorised erection of a brick-built single storey Building appearing to be for domestic purposes.</p>	<p>Temporary Stop Notice Issued followed by Planning Enforcement Notice.</p>	<p>14.01.2009 Temporary Stop Notice ignored, prosecution file submitted to legal. Planning Enforcement Notice issued.</p> <p>1.04.2009 Retrospective planning application submitted.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>1.07.2009 Approved at Committee 10th June 2009. Conditions to be monitored</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 No change</p> <p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p>
<p>13/08 49 High Street MELBOURN</p>	<p>Unauthorised erection of a lean-to structure and single storey extension to two flat roofed outbuildings.</p>	<p>Delegated authority to take enforcement action.</p>	<p>14.01.2009 Enforcement Notice issued Prosecution file submitted for failing to comply with the Enforcement Notice, hearing date to be advised.</p> <p>1.04.2009 No change.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>1.07.2009 Defendants found guilty at Cambridge Magistrates Court. Enforcement Notice still not complied with. Further prosecution file submitted Hearing date set for 9th July 2009.</p> <p>7.10.2009 Male Defendant ejected from court, due to his behaviour, case adjourned until 23rd July 2009. Both Defendants found guilty at Cambridge Magistrates Court, and fined £1000 each with costs totalling £520.</p> <p>13.1.2010 Enforcement Notice not complied with, Prosecution file submitted, Hearing date set for 17th December 2009</p> <p>7.4.2010 Both defendants found guilty at Cambridge Magistrates Court and fined £2195 each including costs of £180 each and £15 each victim surcharge.</p> <p>7.7.2010 Enforcement Notice still not complied with – File submitted to Legal to instigate formal action.</p> <p>6.10.2010 No change</p> <p>12.01.2011 Retrospective planning application submitted.</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>01/09 82 High Street GREAT ABINGTON</p>	<p>Unauthorised work on a Listed building</p>	<p>Delegated authority to take enforcement action</p>	<p>1.04.2009 Enforcement Notice No 3342 issued 6th January 2009 Compliance period 3 months.</p> <p>1.07.2009 Enforcement Notice Appeal submitted out of time – revised scheme submitted S/0018/09/LB. Refused 27th May 2009. Discussions continue. Planning Appeal submitted</p> <p>7.10.2009 No change</p> <p>13.1.2010 No change</p> <p>7.4.2010 No change</p> <p>7.7.2010 Listed Building Enforcement Notice complied with in part – Negotiations continue. Planning Appeal dismissed 26th May 2010</p> <p>6.10.2010 No change</p> <p>12.01.2011 Negotiations continue – Owners currently living abroad</p> <p>6.04.2011 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>6.07.2011 Remedial works commenced, completion due November 2011</p>
<p>07/09 Great Eastern Drying Centre 163 High Street SAWSTON</p>	<p>Dismantling and removal works on a grade11* Listed building without authorisation.</p>	<p>Delegated authority to take enforcement action</p>	<p>1.07.2009 Listed Building Enforcement Notice, reference no 3520 issued 17th April 2009. Notice appealed.</p> <p>7.10.2009 No change</p> <p>13.1.2010 Hearing date 5th January 2010.</p> <p>7.4.2010 Appeal withdrawn</p> <p>7.7.2010 Formal discussions with Conservation Team as to next steps</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>16/09 The Barn, Chesterton Fen Road, MILTON</p>	<p>Unauthorised change of use of land from agriculture and/or the stabling and grazing of horses, to that of a yard for the storage of building materials and equipment; and the erection of a covered structure and secure containers for the storage of materials and equipment.</p>	<p>Delegated authority to take enforcement action</p>	<p>7.10.2009 Enforcement Notices PLAENF.3270 and 3271 issued 2nd September 2009 – Compliance period four months i.e. by 6th February 2010.</p> <p>13.1.2010 Appealed – Inquiry 13th & 14th April 2010</p> <p>7.4.2010 Inquiry date moved to 18th & 19th May 2010</p> <p>7.7.2010 Appeal dismissed – Compliance period 9 months i.e. February 2011</p> <p>6.10.2010 No change</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p>
<p>01/10 Land at Moor Drove Histon</p>	<p>Use of land for stationing or parking of commercial vehicles</p>	<p>Delegated authority to take enforcement action Enforcement Notice .3851 issued effective 15th February 2010</p>	<p>7.4.2010 Enforcement Notice issued – Compliance period to cease the unauthorised use two months i.e. by 15th April 2010 – Appeal submitted.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>7.7.2010 No change</p> <p>6.10.2010 No change</p> <p>12.01.2011 6th December 2010 appeal dismissed, compliance period 6th February 2011</p> <p>6.04.2011 Further report received that the HGV vehicle previously identified, is continuing to breach the planning enforcement notice. Breach confirmed and formal copy of the appeal decision notice and warning issued to the vehicle operator. Monitoring continues.</p> <p>6.07.2011 No change</p>
<p>02/10 Hill Trees Babraham Road Stapleford</p>	<p>Without planning permission the change of use of residential accommodation to a mixed use of residential and motor vehicle sale and repair</p>	<p>Delegated authority to take enforcement action Enforcement Notice .3837 issued effective 15th March 2010</p>	<p>7.4.2010 Enforcement Notice issued – Compliance period to cease the use of the land for motor vehicle sales and repairs one month i.e. by 15th April 2010</p> <p>7.7.2010 Appeal submitted</p> <p>6.10.2010 Public Enquiry date 12th October 2010</p> <p>12.01.2011 Appeal dismissed 4th November 2011 partial costs awarded. Application to appeal against the Inspectors decision has been made.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
			<p>6.04.2011 No change</p> <p>6.07.2011 No change</p>
<p>13/10 North Road Farm Ermine Way Whaddon</p>	<p>Unauthorised construction of a conservatory on a Grade II Listed Building</p>	<p>Delegated authority to take enforcement action Listed Building Enforcement Notice .3864 issued, effective 22nd March 2010</p>	<p>7.4.2010 Listed Building Enforcement Notice issued – Compliance period one calendar month, i.e. by 22nd April 2010</p> <p>Appeal submitted 4th March 2010</p> <p>7.7.2010 Appeal dismissed – New planning application (S/0292/10/LB) refused, further appeal lodged</p> <p>6.10.2010 Enforcement Notice withdrawn – Planning and Conservation Officers currently in negotiation with Owner</p> <p>12.01.2011 No change</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p>
<p>17/10 The Car Wash facility St. Neots Road Croxtan</p>	<p>Without planning permission there has been a change of use of the affected land for residential purposes in that part of a kiosk on the land is being</p>	<p>Delegated authority to take enforcement action Enforcement Notice .3721 issued, effective 12th April 2010</p>	<p>7.4.2010 Enforcement Notice issued – Compliance period to cease using any part of the land for residential use, two months i.e. by 12th June 2010.</p> <p>7.7.2010 Enforcement Notice Complied with – Site to be monitored for 3</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
	occupied as a dwelling		<p>months</p> <p>6.10.2010 Dawn inspection revealed that residential occupation had recommenced – Prosecution file raised</p> <p>12.01.2011 Operator appeared at Court, however due to the recent change in ownership of the premises and that the new operators are no longer using the premises for residential occupation the case was withdrawn – Monitoring continues.</p> <p>6.04.2011 Monitoring continues</p> <p>6.07.2011 No change – Remove from listing</p>
<p>19/10 Park Farmhouse Station Road Stow-Cum-Quy</p>	<p>Unauthorised installation of a pair of entrance gates to the boundary wall within the curtilage of a grade 11 listed building</p>	<p>Delegated authority to take enforcement action Listed Building Enforcement Notice .3929 issued, effective 8th May 2010</p>	<p>7.4.2010 Enforcement Notice issued – Compliance period to remove the unauthorised gates, two months i.e. by 8 August 2010</p> <p>7.7.2010 Notice Appealed</p> <p>6.10.2010 Listed Building Enforcement Notice withdrawn and reissued – See case 24/10.</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>23/10 Field Gate Nurseries 32 Station Road Meldreth</p>	<p>Without planning permission, the erection of an extension to the main warehouse building within the site</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4178 issued, effective 12th July 2010</p>	<p>7.7.2010 Enforcement Notice issued – Compliance period to dismantle or demolish the structure of the extension and remove all resulting materials, rubble and /or spoil from the site, one month i.e. 12th August 2010</p> <p>6.10.2010 No change</p> <p>12.01.2011 Application submitted</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p>
<p>24/10 Park Farm Station Road Stow-Cum-Quy</p>	<p>Without planning permission, the installation of a pair of gates</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4196 issued, effective 5th August 2010</p>	<p>6.10.2010 Enforcement notice issued – Compliance period to remove unauthorised gates, one month i.e. by 6th September 2010 Appeal submitted</p> <p>12.01.2011 1st December 2010 appeal dismissed – Time period to comply extended to 12 months – Revised scheme to be submitted and agreed by SCDC.</p> <p>6.04.2011 No change</p> <p>6.07.2011 No change</p>

CASE NUMBER AND SITE	DETAILS OF CONTRAVENTION	ACTION TAKEN	PRESENT SITUATION
<p>26/10 8 Church Street Whaddon Nr Royston</p>	<p>Erection of a conservatory in contravention of sections 7 and 9 of the Planning (Listed buildings & Conservation Areas) Act 1990</p>	<p>Delegated authority to take enforcement action Listed Building Enforcement Notice .4337.issued, effective 15th December 2010</p>	<p>12.01.2011 Enforcement Notice issued – Compliance period to remove the unauthorised conservatory, three calendar months i.e. By 15th March 2011</p> <p>6.04.2011 Appeal made - Dismissed</p> <p>Further Listed building consent and Planning application submitted inline with the planning inspectors appeal decision.</p> <p>6.07.2011 No change</p>
<p>28/10 Odsey Grange Baldock Road Odsey</p>	<p>Without planning permission, the erection of a garage the dimensions of which are in excess of those allowed under planning permission S/0856/09/F dated the 10th August 2009</p>	<p>Delegated authority to take enforcement action Enforcement Notice .4367 issued, effective 21st January 2011</p>	<p>12.01.2011 Enforcement Notice issued – Compliance period to remove the unauthorised garage, three calendar months i.e. by 21st April 2011</p> <p>6.04.2011 Appeal submitted</p> <p>6.07.2011 Appeal dismissed – Compliance period 3 months i.e by 9th September 2011</p>