

Wards Affected
All Wards

Planning Committee

16th April 2024

Enforcement Schedule

Overview of all Planning Enforcement Complaints Cases Received/Resolved

YEAR	CASES RECEIVED	CASES RESOLVED	CASES ONGOING
2024	16	3	13
2023	147	101	46
2022	161	154	7
2021	227	220	7
2020	234	233	1
Pre-2020	7106	7100	6
TOTALS	7891	7811	80

Cases Received/Resolved and Officer Caseload 28th January 2024 – 28th February 2024

OFFICER	CASES RECEIVED	CASES RESOLVED	ONGOING CASELOAD	CHANGE
Team Leader	2	3	31	-1
Senior Officer	6	16	49	-10
TEAM TOTALS	8	19	80	-11

The number of cases received in this reporting period is lower (8) as the number of cases received in the same period last year (10).

The number of cases resolved in this reporting period is higher (19) when compared to the number of cases resolved in the same period last year (12). There have been only 2 officers in the team since May 2022, which has led to most cases being resolved at source without being recorded due to time constraints and workloads.

The Enforcement Team continues to receive a high level of other complaints/general enquiries about alleged breaches in planning control, which are triaged at point of contact and are subsequently deemed not to be breaches in planning control or more relevant for action under other legislation by other departments of the Council, including Environmental Health, Highways, Estates, Grounds Maintenance, Environment Agency or other external partners. Complainants/other sections are appropriately advised by officers.

Planning Enforcement Internal Performance Indicators – Full month of February 2024

INDICATOR	TARGET	ACTUAL	Change on Previous Month	Comments
February 2024 Cases closed where initial site visit was carried out within 10 working days of receipt	85%	90%	N/A	Officers are currently maintaining cases well above target.
February 2024 Cases closed where Initial Actions were taken within 13 weeks of receipt	80%	90%	N/A	Officers are currently maintaining cases well above target.

Other Work and Enquiries Received

22 requests from public/conveyancers/search companies for copies of S106 documents and confirmation of discharge of heads of terms (registered as Local Land Charges) were carried out and completed within 10 working days of receipt during this reporting period.

Progress on Current Extant Notices

Legal Ref	Enf. Ref	Case Officer	Location of Alleged Breach	Alleged Breach	Person Responsible for Alleged Breach	Action Taken to Date	Notice Served Date	Date Compliance Required	Current Position
PLAN/ENF/11431	UD13P2/2016/250	W. Holloway	86 Argyle Street, St Helens	Erection of wraparound part single storey, part two storey extension	Mr Charles Edwards and Mrs Irene Jackson	<p>Notice served requiring the full demolition of both structures. Appeal received. Appeal Dismissed and varied to extend timescale for compliance to 1 year.</p> <p>Non-compliance with notice 30.04.20, therefore prosecution proceedings commenced.</p> <p>Mr Edwards attended magistrate court and entered a "not guilty" plea. Court placed Mr Edwards on unconditional bail and deferred to 01.07.21 for a case management hearing to allow Mr Edwards to retain legal representation.</p> <p>Following deferments, out of the Council's control, case finally heard in Magistrate's Court 16.12.21. Mr Edwards found guilty. £3500 fine, £190 victim surcharge and £3410 in Council's costs.</p> <p>Mr Edwards appealed against the magistrate court decision.</p> <p>Appeal heard 6th May 2022. Council provided full evidence of case. Appeal dismissed and previous decision by Magistrate Court upheld. Further Council costs of £3,500 imposed.</p> <p>Payments to be made in £200 monthly instalments. Penalty for failure to pay imposed at 65 days imprisonment.</p>	13.03.18	30.10.18	<p>Legal have sent letter before action regarding injunction to Mr Edwards.</p> <p>Enforcement team leader now preparing a witness statement so that appointed Barrister can submit papers to be issued at Court.</p> <p>Statement now provided to legal for commencement of injunctive proceedings</p> <p>Awaiting Court Dates</p> <p>Court Hearing scheduled for 13th April 2023</p> <p>Case hearing carried out and date for final hearing set for 11th May 2023</p> <p>Hearing carried out on 11th May 2023 and Injunction granted.</p> <p>Statement completed and sent to Legal to</p>

					<p>Injunctive relief granted on 11th May 2023 for compliance with the Enforcement Notice by 4pm on 11th November 2023</p> <p>Site visited 13th November 2023 and no attempt to comply with injunction carried out.</p>			<p>pursue owner as in contempt of court. Also completing request to carry out works in default</p> <p>S196 entry with Police attendance to be scheduled. The date has now been agreed and further reporting will be presented at next Committee</p> <p>Site visit completed and exempt briefing note added to 16th April 2024 Planning Committee</p>
PLAN/ENF/974504	TREP1/2023/042	W. Holloway	Land south west of Watery Lane	Erection of a 2m high fence, lamp posts, and laying of hard core	<p>Temporary Stop Notice served 27th April 2023 requiring all works to cease for 28 days</p> <p>Enforcement Notice and Stop Notice served on 1st June 2023.</p> <p>Planning application P/2023/0391/FUL for Change of use of land to form a 2-pitch family (2x static and 2x trailers) traveller site with access from Watery Lane via Keates Street, with day room, boundary treatments, landscaping and 4no lighting column refused. No appeal to date. Planning agent chased as to current status</p>	27.04.23 01.06.23	27.04.23 29.09.23 for EN and immediate compliance with SN	<p>Notice served on site.</p> <p>Further Notices EN and SN served on site</p> <p>Planning application submitted P/2023/0391/FUL and refused</p> <p>Prosecution to be commenced imminently as no further application submitted in reasonable time for consideration</p>

	CU18P1/2023/047	W. Holloway	2 Roxboro House, West Park Road	Destruction of TPO tree	Mr Ryan Little	Prosecution submitted to legal following removal of tree without consent			<p>First Court appearance scheduled for 3rd August 2023</p> <p>Mr Little found guilty in absence and Court adjourned sentencing til 28th September 2023 so that the Council can provide evidence of financial benefit</p> <p>At Court the judge allowed Mr Little to plead not guilty and a trial to commence on 12th January 2024</p> <p>Court hearing 12/01/24. Due to procedural error Mr Little was able to opt for Crown Court. Dates to be set</p> <p>Papers for Crown Court trial submitted 15th March 2024</p>
PLAN/ENF/2014128	UNTP2/2023/108	W. Holloway	354 Leach Lane	Untidy Land	Barbara Gallimore	Section 215 Notice served to demolish building	14 th November 2023	14 th May 2023	Notice served on site with a compliance date for demolition of the building to be completed by 12 th June 2024
PLAN/ENF/2404140	BC10P2/2022/081	W.	Forge Fitness Centre, 456	Breach of Condition 3 P/2019/063		BCN drafted and forwarded to legal	23 rd November 2023		Notice drafted and awaiting service

		Holloway	Warrington Road, Prescott	5/FUL relating to roller shutter door open		BCN served		21 st December 2023		Date for compliance 21 st January 2024 A breach has been reported and warning letter sent
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RECOMMENDED that the report be noted.

The Contact Officer for this report is Will Holloway, Place Services, Town Hall, St. Helens. Telephone St. Helens 671714.

Background Documents open to inspection in accordance with Section 100D of the Local Government Act 1972