

# FOR PUBLICATION

## ENFORCEMENT REPORT

**MEETING:** PLANNING COMMITTEE

**DATE:** 10<sup>TH</sup> DECEMBER 2018

**REPORT BY:** LOCAL GOVERNMENT AND REGULATORY LAW MANAGER  
DEVELOPMENT MANAGEMENT & CONSERVATION MANAGER

**WARD:** As listed in the report

---

### **FOR PUBLICATION**

TITLE: D255 and Non-exempt papers (if any) on relevant files

### **BACKGROUND PAPERS**

LOCATION: LEGAL SERVICES

---

#### **1.0 PURPOSE OF REPORT**

1.1 To update members, and get further authority, on formal enforcement.

#### **2.0 BACKGROUND**

2.1 The table summarises formal planning enforcement by the Council.

#### **3.0 INFORMAL ACTION**

3.1 Formal enforcement is a last resort, with most planning problems resolved without formal action (in accordance with government guidance). More information on informal enforcement is available from the Planning Service.

#### **4.0 MORE INFORMATION ABOUT THE TABLE**

4.1 A summary of the main types of planning enforcement action available to the Council and penalties for non compliance is available from Legal Services.

#### **5.0 RECOMMENDATION**

5.1 That the report be noted.

GERARD ROGERS  
LOCAL GOVERNMENT AND  
REGULATORY LAW MANAGER

PAUL STANIFORTH  
DEVELOPMENT MANAGEMENT  
& CONSERVATION MANAGER

Further information on this report from Gerard Rogers, Legal Services  
Tel 01246 345310 or email [gerard.rogers@chesterfield.gov.uk](mailto:gerard.rogers@chesterfield.gov.uk)

Enforcements currently Authorised: 8

## ENFORCEMENT REPORT

29 November 2018

Address	Authorised <small>days from</small>	Breach	CHE/	Issued <small>days to issue</small>	Effective <small>days to (-) /from</small>	Comply <small>days to (-) /from</small>	Notes	<input type="checkbox"/> <small>update last update</small>	Ward
<b>Enforcement Notice</b>		<i>Total currently Authorised: 5</i>			<i>Authorised to Issue Average: 91 days</i>				
Station Lane	03/04/18 <small>241</small>	importation of materials - creation of hard surfacing		03/07/18 <small>91</small>	08/08/18 <small>114</small>	08/08/19 <small>-251</small>	Issued. In effect - no appeal	<input type="checkbox"/> <small>03/07/18</small>	BHW
Station Lane	03/04/18 <small>241</small>	importation of materials - industrial use		03/07/18 <small>91</small>	08/08/18 <small>114</small>	08/08/19 <small>-251</small>	Issued. In effect - no appeal	<input type="checkbox"/> <small>03/07/18</small>	
Walton Works	27/06/16 <small>886</small>	use for war and horror style games					Cease war and horror style games at weekends and after 18:00 hours, and pyrotechnics at any time. 12/12/16 Committee approval for Section 106 planning obligation to regulate unauthorised use. In contact with operator to conclude agreement.	<input type="checkbox"/> <small>04/04/18</small>	Wa

Address		Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
York Street	1	06/08/18 116	2 vending machines					2 unauthorised vending machines. Moved from 2 York Street. Instructed. About to be issued.	<input checked="" type="checkbox"/> 28/11/18	
York Street	2	09/10/17 417	conversion and extension of roof space					Application for flat conversion CHE/17/00800/FUL approved 03/04/18 with condition requiring removal of balcony and canopy, but has appealed these. Consider further enforcement if appeal dismissed and not comply.	<input type="checkbox"/> 11/06/18	Ha
<b>Stop Notice</b>			<i>Total currently Authorised: 1</i>		<i>Authorised to Issue Average: days</i>					
Walton Works		27/06/16 886	use for war and horror style games of game play					See notes for Enforcement Notice.	<input type="checkbox"/> 03/03/17	Wa
<b>TPO Prosecution</b>			<i>Total currently Authorised: 2</i>		<i>Authorised to Issue Average: days</i>					

Address		Authorised <i>days from</i>	Breach	CHE/	Issued <i>days to issue</i>	Effective <i>days to (-) /from</i>	Comply <i>days to (-) /from</i>	Notes	update <i>last update</i>	Ward
Pomegranate Road (rear of)	51	02/05/18 <i>212</i>	wilful damage to limb of T7 (s.210(4)) adjacent to Pomegranate Park					Magistrates Court (SJP). Guilty plea. Fine £81, victim surcharge £30, Costs £599.39.	<input checked="" type="checkbox"/> <i>23/11/18</i>	N
Ringwood Meadows	4	19/11/18 <i>11</i>	Unauthorised felling of/damage to 2 TPO trees					Felling of 2 TPO trees	<input checked="" type="checkbox"/> <i>23/11/18</i>	

*Action authorised by Committee except Breach of Condition, Planning Contravention, Section 215 Notices, Advertisement Discontinuance, prosecutions and urgent action which are authorised by officers*

*Key to Ward abbreviations: BNW Barrow Hill and New Whittington • BN Brimington North • BS Brimington South • B Brockwell • D Dunston • Ha Hasland • Hb Holmebrook • HI Hollingwood and Inkersall • L Linacre • LG Loundsley Green • LW Lowgates and Woodthorpe • MP Middlecroft and Poolsbrook • Mo Moor • N Newbold • OW Old Whittington • R Rother • SH St Helens • SL St Leonards • Wa Walton • We West*