

**MINUTES OF A MEETING OF THE DEVELOPMENT CONTROL SUB-COMMITTEE
(ENFORCEMENT) HELD AT THE COUNCIL OFFICES, STATION ROAD, WIGSTON ON
MONDAY, 11 JANUARY 2016 COMMENCING AT 5.41 PM**

IN ATTENDANCE:

Chair - Councillor L A Bentley

COUNCILLORS (1):

D M Carter

OFFICERS IN ATTENDANCE (3):

S J Ball

C Forrett

S Robshaw

Min Ref.	Narrative	Officer Resp.
20.	<u>APOLOGIES FOR ABSENCE</u> An apology for absence was received from Councillors Mrs L M Broadley, R E R Morris and Dr T K Khong.	
21.	<u>APPOINTMENT OF SUBSTITUTES</u> None.	
22.	<u>DECLARATIONS OF INTEREST</u> None.	
23.	<u>MINUTES OF THE PREVIOUS MEETING HELD ON 09 NOVEMBER 2015</u> That the minutes of the previous meeting of the Committee held on 09 November 2015 be taken as read, confirmed and signed.	
24.	<u>PETITIONS AND DEPUTATIONS</u> None.	
25.	<u>FORMAL NOTICES SERVED</u> The Sub-Committee gave consideration to formal notices requiring authorisation for service where a breach of planning control had not yet been resolved. These notices are set out in the report (at pages 5 - 9) as jointly-delivered by the Planning Control Manager and Corporate Enforcement Officer and should be read together with these minutes as a composite document. The Planning Control Manager and Corporate Enforcement Officer and gave verbal updates on those notices that had been served. It was reported that in respect of case no. 13/00043/UNAWKS, the original Enforcement Notice was defective (due to an omission of the named Conservation Area) and, as such, was withdrawn and subsequently re-issued. Members were further advised that in respect of case no. 14/00051/UNAUTU, a spot-visit of the site would be undertaken imminently and that, subject to the breach	

	<p>being satisfactorily remedied, the case would be duly closed.</p> <p>The Chair requested an update in respect of case no. 13/00117/COND and enquired as to whether there was a reason(s) which justified keeping the case open. The Corporate Enforcement Officer reported that the appeal decision required the respondent to implement planning permission in respect of the extension's rendering. It was advised that only upon the breach's resolution or the building's removal would the case be duly closed.</p> <p>Councillor D M Carter requested an update in respect of case no. 12/00069/215. The Corporate Enforcement Officer reported that the respondent had taken action outside the parameters of the Section 215 Notice rendering enforcement action unenforceable. It was stated that advice was being sought from this Council's Legal Services as to the options available including the potential instigation of a prosecution.</p> <p>Councillor D M Carter requested an update in respect of case no. 14/00098/UNAWKS. The Corporate Enforcement Officer reported that the respondent had been recently informed of the Council's intention to prosecute.</p> <p>RESOLVED THAT:</p> <p>(i) The report be noted by Members; and (ii) The following case be closed:-</p> <ul style="list-style-type: none"> • 14/00029/UNAUTU 	
26.	<p><u>EXCLUSION OF PRESS AND PUBLIC</u></p> <p>RESOLVED THAT:</p> <p>The press and public be excluded from the remainder of the meeting in accordance with Section 100(A)(4) of the Local Government Act 1972 (Exempt Information) during consideration of the items below on the grounds that it involved the likely disclosure of exempt information, as defined in the respective paragraph(s) 1 and 2 of Part 1 of Schedule 12A of the Act and the public interest in maintaining the exempt items outweighs the public interest in disclosing the information.</p>	
27.	<p><u>FORMAL NOTICES TO BE SERVED</u></p> <p>The Sub-Committee gave consideration to formal notices to be served where a breach of planning control has not yet been resolved. These notices were set out in the restricted report as jointly-delivered by the Planning Control Manager and Corporate Enforcement Officer and should be read together with these minutes as a composite document.</p> <p>RESOLVED THAT:</p> <p>(i) The report be noted by Members; and (ii) Case no. 15/00028/UNAWKS, subject to the notification of those Members representing the Oadby Brooks Hill Ward, be duly closed.</p>	
28.	<p><u>ITEMS FOR DISCUSSION</u></p>	

	<p>The Sub-Committee gave consideration to a number of cases which had been live for 90-days or more. These cases were set out in the restricted report as jointly-delivered by the Planning Control Manager and Corporate Enforcement Officer and should be read together with these minutes as a composite document.</p> <p>The Planning Control Manager and Corporate Enforcement Officer gave verbal updates on these cases and Members determined whether they could be closed as no further action was required, or whether unresolved matters warranted them being kept open beyond the 90-day period. Members agreed to close several enforcement cases which had now been resolved and, or, which did not warrant any further action.</p> <p>RESOLVED THAT:</p> <p>(i) The report be noted by Members;</p> <p>(ii) The following cases be closed:-</p> <ul style="list-style-type: none"> • 15/00052/UNAUTU • 15/00056/UNAUTU • 15/00043/UNAWKS • 14/00182/CONENF • 14/00028/215 • 15/00094/UNAUTU <p>(iii) The following cases be closed by virtue of not being expedient to pursue enforcement action:-</p> <ul style="list-style-type: none"> • 12/00148/UNAWKS • 13/00009/UNAWKS 	
29.	<p><u>LOW PRIORITY CASES</u></p> <p>The Sub-Committee noted the low priority cases where a breach of planning control had not yet been resolved.</p> <p>RESOLVED THAT:</p> <p>(i) The report be noted by Members; and</p> <p>(ii) The following cases be closed:-</p> <ul style="list-style-type: none"> • 15/00103/UNAWKS • 15/00104/UNAWKS 	
30.	<p><u>CLOSED CASES</u></p> <p>RESOLVED THAT:</p> <p>The report be noted by Members.</p>	
31.	<p><u>REVIEW OF SUB-COMMITTEE FUNCTION</u></p> <p>The Chair enquired as to whether this Committee served a useful function - vis-a-vis a mere “management exercise” in duly discharging its terms of reference, most notably in respect of managing the backlog of enforcement</p>	SR/TB

	<p>cases and ensuring that obtaining ward Members were adequately furnished with enforcement-related information. He expressed particular concern in regard to the capacity of two or three Committee Members being able to resolve enforcement cases outside their own respective wards.</p> <p>The Planning Control Manager advised that the Committee did serve a useful purpose insofar as to expedite the addressing and progression of enforcement cases. It was noted that although progress has been achieved in this respect and that new enforcement cases were being dealt with more expediently, a backlog of enforcement cases did nevertheless still exist. He stated that it was important for the Development Control Committee to be given ample opportunity to gauge the performance of the Sub-Committee and recommended that closed enforcement cases be reported to the parent Committee on a quarterly, bi-annual or annual basis forthwith.</p> <p>The Chair suggested that a review be undertaken of this Committee's structure, appropriate remit and capacity to provide for wider-Member participation ahead of the new municipal year 2016/17. He requested that a report regarding the same be brought before the meeting of the Development Control Committee on 14 April 2016.</p>	
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THE MEETING CLOSED AT 6.34 PM



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CHAIR

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