



Planning Committee

3 March 2009

ENFORCEMENT REPORT 1 – 2006/351/ENF

Non-compliance with requirements of an Enforcement Notice Other Road, Redditch

(Abbey Ward)

1. Background / Key Issues

- 1.1 This matter comes before Committee with regard to non-compliance with an enforcement notice authorised by the Committee in April 2008 and issued on 24th July 2008.
- 1.2 The enforcement notice related to the change of use of a retail shop to a mixed use as a hairdressers shop, office and storage of accident damaged motor vehicles and a recovery truck, and required the cessation of the office use, the cessation of all storage of accident damaged motor vehicles, and the removal of all vehicles including any recovery trucks.
- 1.3 The notice took effect on 7th September 2008 and allowed a period of 2 months for compliance. No appeal to the Secretary of State was made with regard to the notice.
- 1.4 On 29th January 2009, an Enforcement Officer visited the premises and noted that there were three accident damaged vehicles on the frontage and that the office use was continuing in breach of the notice.
- 1.5 On 12th February 2009, an Enforcement Officer again visited the property and found that the recovery truck was still on site, the office use continuing and three accident damaged vehicles on the frontage, two of which were different from the previous visit.

2. Conclusion

- 2.1 Officers consider that the Enforcement Notice has not been complied with in that the occupiers of the premises continue to operate without regard. Failure to comply with an enforcement notice is a criminal offence.
- 2.2 The activities at this site are causing traffic problems, nuisance to neighbours and their activities are of interest to both Taxi Licensing and the Police. Officers consider it expedient that legal action needs to be undertaken to secure a cessation of this breach of planning control.



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3. Recommendation

The Committee is asked to RESOLVE that

authority be delegated to the Head of Legal Services in consultation with the Acting Head of Planning and Building Control to take Enforcement action by way of instigating proceedings in the Magistrates Court to secure a cessation of the breach of planning control.