

---

REPORT TO:	DEVELOPMENT CONTROL COMMITTEE	AGENDA ITEM: 8
DATE OF MEETING:	20 <sup>th</sup> August 2002	CATEGORY:
REPORT FROM:	<u>DEPUTY CHIEF EXECUTIVE</u>	RECOMMENDED OPEN PARAGRAPH NO:
MEMBERS' CONTACT POINT:	R M Shirley (596750)	DOC:
SUBJECT:	Non-compliance with Section 215 Untidy Site Notice, land at the rear of 188 High Street, Newhall	REF: RMS/E/2000/515
WARD(S) AFFECTED:	Newhall	TERMS OF REFERENCE: DC01

---

#### **1.0 Reason for Exempt (if appropriate)**

1.1 Not applicable

#### **2.0 Recommendations**

2.1 That the Development Control Committee authorises the Acting legal and Democratic Services Manager to institute appropriate legal proceedings to ensure full compliance with the Notice

#### **3.0 Purpose of Report**

3.1 To obtain the Committee's instructions.

#### **4.0 Executive Summary**

4.1 Not applicable

#### **5.0 Detail**

- 5.1 On 28<sup>th</sup> March 2002 a Notice under Section 215 of the Town & Country Planning Act was served under delegated powers to secure an improvement in the appearance of the above land which was badly affected by overgrown vegetation and dmped material.
- 5.2 A site inspection carried out on 29<sup>th</sup> May 2002 immediately after the expiration of the compliance period revealed that, whilst some clearance work had been undertaken, this was insufficient to enable substantial compliance with the Notice to be recorded.
- 5.3 The owner of the land was contacted again but has taken no further action to implement the requirements of the Notice.
- 5.4 A copy of the Notice and its accompanying plan is attached at Annexe A.

## **6.0 Financial Implications**

- 6.1 Should the Committee be minded to authorise the implementation of legal proceedings, the Council may be subject to certain costs.

## **7.0 Corporate Implications**

- 7.1 None

## **8.0 Community Implications**

- 8.1 None

## **9.0 Conclusions**

- 9.1 The owner of the land has had every opportunity to comply with the Notice but has failed to do so.
- 9.2 The current condition of the land materially affects the amenities of adjoining and nearby properties.
- 9.3 It is open to the Committee to authorise the implementation of appropriate legal proceedings to secure full compliance with the Notice.

## **10.0 Background Papers**

- 10.1 Enforcement File E/2000/515