

ENFORCEMENT ACTION IN THE WILLENHALL AREA

A report has been requested on this subject. Attached is a list of enforcement actions in the Borough. It is extracted from a quarterly report to the Development Control Committee. It includes all the cases in the Willenhall area.

It has been suggested that a separate list for purely Willenhall Cases is appropriate. My advice would be that such a list would be very misleading.

By showing you all cases, Borough-wide, you are able to see what is happening in other areas and how many cases are on hand overall. There is a small team dealing with such cases, and it is not possible for all cases to proceed as rapidly as all parties might like. This can be a concern. By having access to the wider picture, such concerns can be set in context.

It should be stressed that the list is only of investigations that are at a formal stage. There are many more cases which are simply complaints, or continuing investigations.

DEVELOPMENT CONTROL COMMITTEE**APPENDIX A****PROGRESS OF CURRENT ENFORCEMENT ACTION – (FROM 1 APRIL 2004)**

Date of Authorisation	Site Address	Action to be taken	Date Notice Served/ Progress	Compliance / appeal date	Complied? Yes/No	Prosecution ?
Part A – Enforcement Action authorised by the Development Control Committee						
3 August 2004	36 Old Lane, Bloxwich	Enf. Storage of Commercial vehicles	Action held in abeyance as the vehicles were moved onto the highway. RFI not returned. Previously reported that no vehicles thought to be on site.	Will continue to monitor.		
24 August 2004	7 Broadway North, Walsall	Enf Notices Excavations and removal of front boundary walls to form new access and parking	Following dismissing of planning and Conservation Area Consent Appeals, a replacement wall was erected which not ideal in design. Legal Services have advised regarding			

		space.	whether permitted development, and now advising on scope to serve unusual Conservation Area Consent Enf Notice.			
24 th August 2004	9 Broadway North, Walsall	Enf Notices Excavations and removal of front boundary walls to form new access and parking space.	Notice served 3/11/04.	Joint Appeals in respect of planning permission, Conservation Area Consent, and Enf Notice have all been Dismissed, and Enf Notice requiring reinstatement upheld. Owner has sought limited deviation from 'like for like' reinstatement, and with Conservation Officer support. Owner has been advised in detail and a final date is being sought. .	Pending	
14 Sept. 2004	47 Sites for which	S215 Notices	At time of presentation to Committee, 31 sites had	Compliance due as follows;		

	remedial works are required for unsightly land and buildings		been resolved informally. Monitoring and negotiation continues on remainder with intention to bring forward for action if appropriate. 8 were identified for formal action. Some of these resolved by demolitions or compliance, and 4 Notices served on the most difficult cases, June to September 05.	182 Wolverhampton Road - 2/8/05,	No	Report to committee on 27/6/06 approved direct action and detailed costings being obtained.
				49 Wednesfield Road - 24/8/05,	Yes	
				69/72 Wednesfield Road - 3/11/05	Yes – overall -impact on street scene greatly improved, but full compliance in preparing for painting is doubtful in places .	Not at present. Weathering, appearance, and possible re-development to be monitored
				Mellish Road Church -13/12/05 Previously reported that	No - only partial compliance	Prosecution remains a possibility in

				Appeal made to Magistrates. After some procedural problems at the Court this was dismissed on 1 st March 2006. Compliance then required by 1 st May 2006.	obtained to-date, though work has recently resumed.	future months. Following the Committee resolution on 25 th April, direct action was being pursued, but this is not currently possible now that the owners have resumed work.
26 October 2004	17 Newport Street, Walsall	<p>Listed Building Enf Notice - Installation of UPVC windows to first floor.</p> <p>Listed Building and Advert Regs Prosecutions in respect of exterior painting display of</p>	<p>Witness statements currently being updated as case being reviewed to gather further evidence before legal action can proceed.</p> <p>As above.</p>			

		adverts.				
7 December 2004	Rear 40 -54 Cartbridge Lane, Rushall	Enf Notice -Erection of timber cabin with concrete base , on gypsy site (with temporary permission following Appeal)	Planning application (incomplete) received 8/8/06 for permanent retention of gypsy caravan site. Action on notice in abeyance pending decision.			
7 December 2004	16 -19 Church Street, Darlaston	Enf Notice -Use as a car wash.	Notice served 1/6/06 – 8 weeks compliance period from 30/6/06.			
4 January 2005	Sleems, 8 West Bromwich Road, Walsall	Prosecution regarding -Illuminated adverts	RFI regarding ownership/occupier not returned. New proprietor for business.- has been contacted and problem fully discussed with the new proprietor as part of a renewed attempt to negotiate a solution.			
4 January 2005	74 and 75 Stafford Street,	Section 215 Notice	Served 7/9/05	Compliance due in stages; 7/11/05 and 7/12/05	No (Minimal works carried	The alternatives of prosecution or

	Willenhall				out)	Direct Action need to be compared. (Further report possible). Other legislation being considered for a more comprehensive approach.
8 th March 2005	43 Wenlock Gardens	Section 215 Notice House and garden, badly boarded-up and maintained	Notice served 1 st March 2006.	Compliance due 13 th May 2006	No	Direct action approved at committee meeting of 18/7/06 and detailed costings to be obtained
19 th April 2005	Green Lane, Walsall, at Rayboulds Bridge	Prosecutions - Poster hoarding at junction	Discussions between Planning and Estates Depts on alternative sites, and negotiations with poster company in hand.		Pending	
10 th May 2005	37 – 38 Bradford Street	Section 215 notice	Notices served 6/6/06 to take effect from 7/7/06.	Compliance period – 6 weeks		
19 th July 2005	454 Sutton Road Walsall	Enf Notice	Served October 05.	Appeal dismissed and enforcement notice		

		Erection of boundary wall and gates		upheld on 27/7/06. Compliance period of 2 months and full costs application allowed.		
19 th July 2005	Land west side of Acorn Street, Willenhall	Enf Notice Use for vehicle storage, and repair / preparation of 'banger' racing cars as part of recreational activity.	Previously reported that not served whilst a planning application being submitted, but this was not received. RFI was then served but not returned. Case referred to Legal Services for pursuing prosecution for RFI non-return, and also drafting of Notice which currently being finalised with Planning.			
19 th July 2005	35 Flaxall Street, Walsall	Section 215 Notice	Moves made to conclude discussions with other departments regarding relationship with other initiatives.			
20 th September 2005	The Former Hatherton Liberal Club, and House	Section 215 Notice -advanced dereliction	Served 19 th May 2006.	Staged compliance periods:- clearance of grounds- 19 th June	Partial compliance and ongoing discussion	

		and fire damage		improvement of buildings - 19 th July demolition of 2-storey building - 19 th August	with owners.	
11 th October 2005	Land rear of 232 Lichfield Road, New Invention.	Enf Notice Vehicle bodies etc used as buildings. Enf Notice or Section 215 Notice – metal panel on posts	Enf notice to require removal of vehicle bodies served 1 st November 05. Enf notice requiring removal of metal panel was served 19 th April.	Compliance was due 6 th February 06 , but previously reported an appeal being confirmed. A public Local Inquiry now scheduled for 1st August 2006. Compliance due 22 nd July 2006 unless appeal received.	Public Inquiry 1/8/06 - case adjourned until later this year.	
22 nd November 2005	9 Goodall Grove, Pheasey	Enf Notice -- Erection of amateur radio mast within residential curtilage.	Enf Notice served 5 th May. Legal Services also pursuing prosecution for failure to return RFI	Compliance due 9 th August unless an appeal received.	Yes	Aerial removed
13 th December 2005	The former Manor House Public House, Mill Street, Walsall	Section 215 notice. -advanced dereliction	Draft Notices finalised but land ownership arrangement between parties has changed and clarification of this is being sought for service of the notices.			

13 th December 2005	228 Tyndale Crescent, Pheasey	Enf notice - Dormer roof extension	Enf notice served 28 th April .	Appeal received and hearing on 9/1/07.		
13 th December 2005	Rear of 232 Lichfield Road, New Invention	Telecom mast (erected under claim of 'emergency permitted development' for 6 months), at end of 6 month period.	BCN issued on 31/5/06 requiring removal of mast by 28/6/06.		Yes	
10 th January 2006	Barr Beacon Farm, Bridle Lane, Barr Beacon, Aldridge	Enf Notice Telecommuni cations mast and base compound	RFI not returned - With Legal Services for pursuing this and drafting notice.			
25 th April 2006	Former Mellish Road Methodist Church, Lichfield Road, Walsall.	Direct action involving Council itself carrying out works required by S 215 Notice.	Please see above entry under 14 th September 2004, and 47 sites.			Pending – to be reviewed, though the owners have resumed remedial work themselves.
25th April 2006	East side of Green Lane, north embankment	Prosecution in respect of displaying a double-sided	With Legal Services. (A planning appeal already dismissed.)			Pending

	of canal , Walsall	poster hoarding				
25th April 2006	KFC Drive Thru, 10 Wolverhampt on Road, and Wolverhampt on Road frontage, Walsall.	Prosecutions in respect of displaying an illuminated pole-sign and non- illuminated signboards on longer frontage.	At time of writing the advertisement head of the pole-sign has been removed, and the pole is expected to follow. Legal Services being instructed in respect of various signboards.	New application for revised sign now submitted. Action in abeyance pending decision.		Pending
25 th April 2006	51 Allerdale Road, Clayhanger	Enf notice rear conservatory at a house	Amended scheme discussed, planning application to be submitted.			
25 th April 2006	15 Cricket Close, Walsall	Enf notice partially built front extension to house.	The notice is drafted but we are awaiting the submission of an amended planning application following consultation.			
25 th April 2006	Boundary Court, 35 -49 Boundary Road, Streetly.	Section 215 Notice – building and lock-up garages in disrepair	The Notice is drafted and final details of who to serve upon are being clarified as RFI's not returned			
25 th April 2006	81 Forrester Street, Walsall	Enf notices Installation of fume	Formal action was deferred for 2 months and planning applications have been submitted for			

		extraction flue Erection of first floor extension providing day room and storage area.	each issue.			
25 th April 2006	48 Lichfield Road , Walsall (resolution taken in conjunction with Committee refusal of planning permission)	Enf Notice Conversion of house to 4 flats	First draft of notice prepared but a detailed site visit planned to finalise requirements of notice.			
Part B – Enforcement Action taken under delegation						
Address	Breach	Type of Action	Date Notice served / Progress	Compliance date / appeal	Complied? Yes/No	Prosecution?
Unique Roofing Ltd Balls Street, Walsall	Breach of Condition – storage on parking area	BCN	Notice served 28/6/05	Compliance 30 days	No A planning application for alternative parking was expected but	Report for Committee authority may be made following consultation with

					was not received.	Transportation officers.
11 Aldridge Road, Walsall	Breach of Condition - Formation of opening for side-facing window.	BCN	Notice served 22/9/05	Compliance 30 days	No	Report for Committee authority may be made.
Units A and C, rear of 115-120, Stafford Street, Walsall	Breach of Condition - Use of Music Rehearsal Rooms outside permitted hours.	BCN	Notice served 31/3/06	Compliance 28 days	Monitoring is taking place in consultation with residents.	
1a Weston Street, Caldmore	Change of use to hand car wash operation and possibly some vehicle sales	PCN	Served 13/6/06 – 21 day response compliance. Enforcement and stop notices to follow.	Compliance	Yes	
23 Rosemary Close, Clayhanger	Fencing and gates	BCN	Served 22/6/06 – 30 day compliance	No response from occupants and re-visit scheduled		