



31<sup>st</sup> January 2006

## REPORT OF THE ACTING HEAD OF PLANNING AND TRANSPORTATION

### **Development Control Performance Update Report**

#### **1. PURPOSE OF REPORT**

To advise Members of the Development Control Committee of the latest performance and outcomes regarding development control matters and in particular to: -

- i) The 3rd quarters performance figures for applications determined between 1<sup>st</sup> October and 31st December 2005.
- ii) The decisions made by the Planning Inspectorate on appeals lodged with the Secretary of State.
- iii) A quarterly progress report of enforcement proceedings with respect to matters that have been resolved by the Committee.

#### **2. RECOMMENDATIONS**

That the Committee notes the report.

#### **3. FINANCIAL IMPLICATIONS**

None.

#### **4. POLICY IMPLICATIONS**

Within Council policy – YES

#### **5. LEGAL IMPLICATIONS**

The briefing of members as to the outcome of individual appeals made by the Planning Inspectorate will enable members to keep abreast of planning issues as may be raised within individual cases. Appeal decisions are material considerations

and can be material considerations in the determination of subsequent applications where relevant.

6. **EQUAL OPPORTUNITY IMPLICATIONS**

NOT APPLICABLE

7. **ENVIRONMENTAL IMPACT**

The impact of decisions made by the Planning Inspectorate on the environment is included in their decision letters.

8. **WARD(S) AFFECTED**

All.

9. **CONSULTEES**

Officers in Legal Services have been consulted in the preparation of this report.

10. **CONTACT OFFICER**

David Elsworthy - Extension: 2409

11. **BACKGROUND PAPERS**

All published.

David Elsworthy, Acting Head of Planning and Transportation

## DEVELOPMENT CONTROL COMMITTEE –

1<sup>st</sup> November 2005

### **Development Control Performance Update Report**

**i) BVPI 109 a), b), and c): Speed of planning applications determined between 1<sup>st</sup> October and 31<sup>st</sup> December 2005**

| <b>Application type</b>                                    | <b>1<sup>st</sup> Quarter</b> | <b>2<sup>nd</sup> Quarter</b> | <b>3<sup>rd</sup> Quarter</b> | <b>4<sup>th</sup> Quarter</b> | <b>Out Turn for 2004-5</b>             |
|--|-------------------------------|-------------------------------|-------------------------------|-------------------------------|--|
| a) Major applications<br>Within 13 weeks<br>(target = 60%) | 71.43%                        | 68.52%                        | 66.66%                        |                               | 52.04%<br>(31.9% in 2003/4)            |
| b) Minor applications<br>Within 8 weeks<br>(target = 65%)  | 82.30%                        | 81.09%                        | 84%                           |                               | 65.1%<br>(42.1% in 2003/4)             |
| c) Other applications<br>Within 8 weeks<br>(target = 80%)  | 91.23%                        | 90.95%                        | 92.51%                        |                               | 83.85%<br>(65.9% in 2003/4)            |
| Overall applications<br>Within 8 weeks<br>(target = 80%)   | 88.91%                        | 84.73%                        | 89.98%                        |                               | 80%<br>(previous best 67.9% in 2002/3) |

- 12.1 The above third quarter results again represent an excellent outcome for all application types. This continues levels that are at an all time high for Walsall and which have considerably exceeded all Government targets. The results sustain the performance which should enable all Government targets to be achieved at the end of the year. This is particularly important as Members will recall that the Government included the Council in a list of 90 local authorities as 'standard authorities' for 2005-7 based on performance levels for 2003-4. This means that the council has imposed targets of 57% for major applications and 63% for minor applications with the offer of support and the threat of intervention should these targets fail to be met. Following an audit by consultants on behalf of the ODPM, the Council has recently been notified that it has been accredited a 'green light' in terms of a risk assessment carried out by the consultants on all standard authorities as to whether it will meet the standard authority targets by March 2007. Therefore the council will not face any external intervention. This is excellent news and the authority has been congratulated for the way it has turned performance around since 2003-4.
- 12.2 The performance rewards the hard work and commitment of officers and members of the Development Control Committee who together have implemented the new development control arrangements with high a degree of dedication and professionalism. This is despite the number of applications received continuing to be at high levels and the service carrying several vacancies. The continued high level of performance will rely heavily on the retention and recruitment of staff and the continued use of the new development control governance arrangements.

**ii) Decisions made by the planning Inspectorate between 1<sup>st</sup> July and 30<sup>th</sup> September 2005**

12.5 The following decisions have been made by the Planning Inspectorate between 1<sup>st</sup> October and 31st December 2005. Decisions 1 to 45 can be found in the first and second quarters performance report.

| App No.              | Address                               | Proposal  | Decision  | Officer Rec | Comments  |
|----------------------|---------------------------------------|---|-----------|-------------|---|
| 46)<br>05/0303/FL/H2 | 7 Treetops Drive, Willenhall          | Two storey side extension   | Dismissed | Refuse      | Detrimental to amenity of neighbour   |
| 47)<br>05/0518/OL/E4 | R/O 25 Little Aston Lane              | Change of use from garden to plot for 3 bed house                                 | Dismissed | Refuse      | Out of character with existing built form of development and potential overbearing on neighbouring house        |
| 48)<br>05/0599/FL/H4 | 10 Newquay Close                      | Two storey side extension   | Dismissed | Refuse      | Terracing effect and out of character   |
| 49)<br>05/0264/FL/H1 | 32 Norman Road                        | Two storey front and rear extension   | Allowed   | Approve     | Adequate gap between adjacent properties to avoid harm to amenity   |
| 50)<br>05/0447/FL/E6 | 19 Laurel Drive, Streetly             | Two bedroom house   | Dismissed | Refuse      | Detrimental to the character and appearance of the area   |
| 51)<br>05/0501/OL/E2 | 269 Lichfield Road                    | 12 flats  | Dismissed | Approve     | Overlarge and detrimental to character of the area  |
| 52)<br>04/2525/FL/M1 | EMI Ltd Bentley Road South, Darlaston | Metal recycling facility and acoustic barrier                                     | Dismissed | Approve     | Unacceptable environmental and residential amenity impacts  |
| 53)<br>04/2632/FL/W3 | Unit 6 Ashmore Lake Road              | Indoor motor vehicle dismantling  | Allowed   | Refuse      | limited level of activity unlikely to have an impact on environment / area                                      |
| 54)<br>05/0522/FL/E5 | 14 Churchill Road, Aldridge           | Change of use from shop to hot food take away                                     | Dismissed | Refuse      | Detrimental impact on amenity of neighbours and area  |
| 55)<br>05/0258/FL/H7 | 30 Branton Hill Lane                  | Retention of walls pillars and railings   | Allowed   | Refuse      | not unacceptably harmful  |
| 56)<br>05/1211/FL/H4 | 16A Scott Road, Walsall               | Single storey side extension  | Dismissed | Refuse      | Poor design not in keeping with the existing house  |
| 57)<br>05/0540/FL/E2 | 149-159 Chester RD, Streetly          | 43 retirement apartments and visitors suite, lounge, office and 22 parking spaces | Allowed   | Approve     | Would not cause harm to character of area and amenity of neighbours.<br><b>Cost application allowed in full</b> |

|                             |   |  |                                |         |  |
|-----------------------------|---|--|--------------------------------|---------|--|
| 58)<br>04/2463/E3           | Adj 122<br>Pelsall Rd   | Erection of 4<br>one bed flats   | Dismissed                      | Refuse  | Detrimental to<br>highway safety due<br>to intensified use of<br>a substandard<br>access   |
| 59)<br>04/1583/FL/E5        | Adj 241<br>Lichfield<br>Road,<br>Shelfield                              | Erection of one<br>dwelling and<br>new access  | Allowed                        | Refuse  | Would not be<br>detrimental to the<br>amenity of<br>neighbouring<br>properties   |
| 60)<br>05/0590/PT/E4        | Pavement off<br>Chester<br>Road<br>(outside Audi<br>Garage)<br>Streetly | 12m<br>streetworks<br>pole<br>supporting 3<br>antennae,<br>shroud and<br>radio<br>equipment<br>housing | Allowed                        | Approve | Lack of viable<br>alternative sites<br>outweighs any harm<br>to character of the<br>area.  |
| 61)<br>05/0921/FL/H4        | 67 Liskeard<br>Road   | garage<br>conversion<br>and new<br>boundary<br>fencing   | Part<br>Allowed /<br>Dismissed | Refuse  | Fence is detrimental<br>to the open<br>character of the<br>area but granted<br>consent for<br>conversion of<br>garage                    |
| 62)<br>05/1198/PT/E3        | Adj 138<br>Green Lane,<br>Shelfield                                     | 15m telecom<br>tree mast   | Allowed                        | Approve | lack of alternative<br>site is very special<br>circumstance to set<br>aside green belt<br>policy and harm to<br>character of the<br>area |
| 63)<br>05/1245/PT/W5        | Highway at<br>Queen<br>Elizabeth<br>Avenue<br>Willenhall                |  | Withdrawn                      |         | Withdrawn by<br>appellant (O2 (uk)<br>Ltd  |
| 64)<br>05/1418/AD/E3        | Bus Shelter,<br>Stafford<br>Street,<br>Bloxwich                         | Illuminated<br>advert panel<br>on bus shelter  | Dismissed                      | Refuse  | Detrimental to the<br>appearance of the<br>bus shelter and<br>character of area  |
| 65)<br>05/1417/AD/E3        | Opposite 218<br>Lichfield<br>Road,<br>Bloxwhich                         | Two<br>Illuminated<br>advert panels<br>on bus shelter  | Dismissed                      | Refuse  | Detrimental to the<br>amenity of residents<br>and character of<br>area   |
| 66)<br>05/05/1449/PT/<br>E4 | Pavement<br>outside Audi<br>garage<br>Chester Rd                        | Streetworks<br>telecom mast  | Withdrawn                      |         | Withdrawn by<br>appellant  |
| 67)<br>05/0074/FL/E3        | Land at<br>Beacon Park<br>Farm  | Temporary<br>airwave<br>communication<br>installation  | Dismissed                      | Refuse  | Detrimental to the<br>character and<br>appearance of the<br>area   |
| 68)<br>05/0758/FL/W5        | 229-233<br>Lichfield<br>Road,   | 15m<br>streetworks<br>column and   | Dismissed                      | Approve | Detrimental effect<br>on visual amenity<br>outweighs the need  |

|   |   |  |  |   |  |
|---|---|--|--|---|--|
|   | Willenhall  | antenna  |  |   |  |
| 69)<br>05/0137/FL/E4  | Land adj Fleet House Anchorbrook Business Park Aldridge | Change of use to storage and retailing of vehicles | Dismissed  | Refuse  | loss of employment land and detrimental to highway safety  |
| 70)<br>05/0459/PT/E3  | Land at Silver Street, Brownhills                       | 15m Streetworks column with 3 antennas             | Dismissed  | Refuse  | Detrimental effect on visual amenity outweighs the need  |
| 71)<br>05/0997/FL/H1  | 2 Kewstoke Road Willenhall                              | Proposed Conservatory                              | Dismissed  | Refuse  | Detrimental to privacy and amenity of adjoining occupiers  |
| Performance to date from 1 <sup>st</sup> April, 2005 to 31 <sup>st</sup> December 2005<br><br><b>Target = 40%</b><br><br><b>National Average (2004/5) = 34%</b> |   |  | <b>20</b> appeals not decided in accordance with Councils decision = <b>32.93%</b> | <b>19</b> appeals not decided in accordance with officer recommendation = <b>28.35%</b> | Total number of appeals to date = <b>67</b> that relate to BVPI 204. Appeals against non determination, conservation / listed building consent and those withdrawn are not included. |

- 12.6 The above outcomes show that 32.93% of appeals were not determined in accordance with the councils' decisions between 1<sup>st</sup> April 2004 and 31<sup>st</sup> December 2005 (28.3% not determined in accordance with the officer's recommendation). This represents a good performance for the year to date despite first quarter figures being disappointing (46%). This means that the council is on course to beat its locally set target of 40% and return figures for the whole year around or below the national average of 34%.
- 12.7 The ability of the council to defend a high percentage of its decisions is particularly important as all local planning authorities are now assessed on this basis as part of a new statutory performance indicator (BVPI204 the percentage of appeals allowed against the authority's decision to refuse planning applications), which was introduced in April 2004. The government uses this performance indicator in its assessment of the performance of the council and in allocation of Planning Delivery Grant. This is exemplified by the award of this years Planning Delivery Grant when £57,056 was deducted from the grant we received as the Government was critical of the councils appeal success rate in 2003-4. Last years outcome (45%) also exceeded the target.
- 12.8 Members will note that I have highlighted the appeal decision 57) 149-159 Chester RD, Streetly when the inspector allowed an application for full costs against the council. The inspector considered that the council had behaved unreasonably in that it was clear from the evidence that the decision to refuse was made by Council Members against their own officer's professional advice and that there were no grounds for refusal. The inspector concluded that *"in such cases planning authorities will be expected to show that they had reasonable planning grounds for taking a decision contrary to such advice; and they were able to produce relevant evidence to support their decisions in all respects"* (para 9 of Annex 3 of Circular 8/93). The

inspector also concluded that it was unreasonable to introduce late evidence based on the council's new affordable housing policy.

- 12.9 Clearly it is very disappointing to have been awarded full costs against the council in this respect and serves as a reminder to members that all decisions against officer's advice puts the council at risk if the reasons cannot be substantiated at appeal. The total costs claimed amount to £56,607 including VAT. Legal Services are currently considering these costs as the Council can challenge those that may be considered unreasonable. As there is no contingency budget for such payments this money will need to be found from existing budgets at the expense of other service provision.

#### **iv) Progress on Enforcement Proceedings**

- 12.8 A table to show progress made on enforcement matters authorised by the Committee is attached at appendix A. These matters are included in part A of the table. Members will see that steady progress is being made on most matters although some delay is being experienced on several matters due to legal complexities. Members will also note that there are other matters being dealt with by the planning enforcement team under delegation in addition to these matters and the most notable of these are included in part B of the table.

**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 ? |
|--|-----------------------|-------------------------------------|--|--------------------------------|------------------|---------------|
| <b>Part A – Enforcement Action authorised by the Development Control Committee</b> |                       |                                     |  |                                |                  |               |
| 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 on ownership/occupier not returned. Previously reported that no vehicles now thought to be on site. | Will continue to be monitored. |                  |               |



|                              |                           |   |   |  |         |  |
|------------------------------|---------------------------|---|---|--|---------|--|
| 24 August 2004               | 7 Broadway North, Walsall | Enf. Notices<br><br>Excavations and removal of front boundary walls to form new access and parking space. | Following dismissing of planning and Conservation Area Consent Appeals, a replacement wall was erected but this was not ideal in design. Legal Services have advised regarding whether permitted development, and now advising on scope to serve unusual Conservation Area Consent Enf. Notice. |  |         |  |
| 24 <sup>th</sup> August 2004 | 9 Broadway North, Walsall | Enf. Notices<br><br>Excavations and removal of front boundary walls to form new access and parking        | 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 | Pending |  |

|               |   |              |  |  |  |  |
|---------------|---|--------------|--|--|--|--|
|               |   | space.       |  | like' reinstatement, and with Conservation Officer support. Owner has been advised in detail and a date for works sought.  |  |  |
| 14 Sept. 2004 | 47 Sites for which remedial works are required for unsightly land and buildings | S215 Notices | At time of presentation to Committee, 31 sites had 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. | <p>Compliance due as follows;</p> <p>182 Wolverhampton Road - 2/8/05,</p> <p>49 Wednesfield Road - 24/8/05,</p> <p>69/72 Wednesfield Road - 3/11/05</p> <p>Mellish Road Church -13/12/05</p> | <p>No</p> <p>Yes</p> <p>Yes – overall -impact on street scene greatly improved, but full compliance in preparing for painting is doubtful in places.</p> <p>No</p> | <p>Owner difficult to trace – options being investigated</p> <p>No</p> <p>Not at present. Weathering, appearance, and possible redevelopment to be monitored</p> <p>Prosecution of co-owners</p> |

|                 |                                      |  |  |   |  |  |
|-----------------|--------------------------------------|--|--|---|--|--|
|                 |                                      |  |  | Previously reported that Appeal made to Magistrates and date being obtained. However appeal lapsed and was returned by Court. |  | timetabled for 22 <sup>nd</sup> March in Magistrates Court. If works completed beforehand, proceedings may be adjourned. |
| 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 display of adverts.</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>   |   |  |  |
| 7 December 2004 | Rear 40 -54 Cartbridge Lane, Rushall | <p>Enf. Notice -Erection of timber cabin with concrete base, on gypsy site.</p>  | RFI regarding ownership and occupation not returned. Case reviewed with Legal Services, who now contacting solicitor who has begun to represent owner. |   |  |  |

|                 |                                       |  |   |  |                                   |  |
|-----------------|---------------------------------------|--|---|--|-----------------------------------|--|
|                 |                                       | (temporary permission following Appeal)    |   |  |                                   |  |
| 7 December 2004 | 16 -19 Church Street, Darlaston       | Enf. Notice<br><br>Use as a car wash.      | Ownership/occupier information being considered and draft Enf. Notice being prepared.   |  |                                   |  |
| 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 new proprietor as part of renewed attempt to negotiate a solution. |  |                                   |  |
| 4 January 2005  | 74 and 75 Stafford Street, Willenhall | Section 215 Notice                         | Served 7/9/05   | Compliance due in stages;<br>7/11/05 and 7/12/05 | No<br>(Minimal works carried out) | The alternatives of prosecution or Direct Action need to be compared. (Possible report). Also considering role of other legislation. |

|                             |   |  |  |  |                    |  |
|-----------------------------|---|--|--|--|--------------------|--|
|                             |   |  |  |  |                    |  |
| 8 <sup>th</sup> March 2005  | 43 Wenlock Gardens  | Section 215 Notice   | Notice receiving final checks.   |  |                    |  |
| 30 <sup>th</sup> March 2005 | Fastpack Solutions Ltd, Queen Street, Walsall                   | Enf. Notice – Installation of shipping container   | Enf. Notice appeal dismissed and container removed after correspondence.   |  | Yes                |  |
| 19 <sup>th</sup> April 2005 | 29 & 35 Bilston Lane, Willenhall                                | Enf. Notice – change of use to car sales.<br><br>Prosecution regarding display of advert | Enf. appeal dismissed and use ceased and advert removed  |  | Yes                |  |
| 19 <sup>th</sup> April 2005 | Green Lane & Old Birchills<br><br>Green Lane & Rayboulds Bridge | Prosecutions- Poster hoardings at each junction  | Green Lane/Old Birchills – hoarding removed.<br><br>Green Lane /Rayboulds Bridge - Discussions between Planning and Estates Depts on alternative sites. Currently awaiting response from poster company. |  | Yes<br><br>Pending |  |
| 10 <sup>th</sup> May 2005   | 37 – 38 Bradford Street   | Section 215 notice   | Notice has been re-drafted to suit latest ownership information. Logistics in relation to  |  |                    |  |

|                            |  |  |  |                          |                           |  |
|----------------------------|--|--|--|--------------------------|---------------------------|--|
|                            |  |  | possible demolition and redevelopment being finally considered together with Legal Services  |                          |                           |  |
| 7 <sup>th</sup> June 2005  | 60 Spring Lane                               | Enf. Notice – installation of shipping container   | Served 23/9/05   | Compliance due 26/4/06   |                           |  |
| 28 <sup>th</sup> June 2005 | Ikea Ltd, Park Lane, Darlaston               | Enf. Notices<br><br>Erection of steel framed building ('Bargain Corner')<br><br>Erection of modular building<br><br>Extension to site comprising fenced compound | Notice served 13/7/05.<br><br>Not served - building removed<br><br>Not served - fence removed and most use ceased. Being monitored whilst major internal works affecting site and adjacent land. | Compliance due 21/12/05. | Yes<br><br>Yes<br><br>Yes |  |
| 28 <sup>th</sup> June 2005 | Pallet Racking Systems Ltd, Ashmore Lake Way | Withdrawn from Agenda -planning application received   |  |                          |                           |  |

|                                 |  |  |   |   |         |  |
|---------------------------------|--|--|---|---|---------|--|
| 19 <sup>th</sup> July 2005      | 454 Sutton Road Walsall MBC                  | Enf. Notice<br><br>Erection of boundary wall and gates   | Served October 05.  | Compliance date 30 <sup>th</sup> Jan 2006.<br>Appeal was commenced but not validated, and now a current planning application for an amended scheme. | Pending |  |
| 19 <sup>th</sup> July 2005      | Land west side of Acorn Street, Willenhall   | Enf. Notice<br><br>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 (possibly acceptable) being submitted. This application not received and case now referred to Legal Services for RFI on ownership/occupier and drafting notice. |   |         |  |
| 19 <sup>th</sup> July 2005      | 35 Flaxall Street, Walsall                   | Section 215 Notice   | Relationship with other possible initiatives being discussed inter-departmentally.  |   |         |  |
| 20 <sup>th</sup> September 2005 | The former Hatherton Liberal Club, and House | Section 215 Notice   | Drafting now advanced - schedule of works refined prior to checking by Legal Services.  |   |         |  |

|                                |   |   |   |  |                                |  |
|--------------------------------|---|---|---|--|--------------------------------|--|
| 11 <sup>th</sup> October 2005  | Land rear of 232 Lichfield Road, New Invention.                               | Enf. Notices – Vehicle bodies etc used as buildings, and metal panel on posts.<br><br>Section 215 Notice – metal panel on posts | Enf. notice to require removal of vehicle bodies served 1 <sup>st</sup> November 05.<br><br>Enf. notice requiring removal of metal panel on posts now being drafted following final letter to occupier. | Compliance was due 6 <sup>th</sup> February 2006, but Inspectorate now expected to confirm an Appeal is valid. Written Representation appeal procedure commencing. |                                |  |
| 22 <sup>nd</sup> November 2005 | 9 Goodall Grove, Pheasey  | Erection of amateur radio mast within residential curtilage.  | RFI for information served on owner/occupier before drafting notice   |  |                                |  |
| 22 <sup>nd</sup> November 2005 | South side of Wolverhampt on Street (site cleared for Waterfront Development) | Prosecution action<br><br>– in respect of displaying Poster Hoarding Panels above brick wall.                                   | Not commenced – poster hoarding panels removed following legal action by land-owners.   |  | Yes resolved – by land owners. |  |
| 13 <sup>th</sup> December 2005 | The former Manor House Public House,  | Section 215 notice.<br>-advanced  | At drafting stage   |  |                                |  |



|                                      |  |   |   |  |  |  |
|--------------------------------------|--|---|---|--|--|--|
|                                      | Mill Street,<br>Walsall  | dereliction   |   |  |  |  |
| 13 <sup>th</sup><br>December<br>2005 | 228 Tyndale<br>Crescent,<br>Pheasey                              | Enf. notice -<br>Dormer roof<br>extension   | Legal Services serving<br>an RFI on<br>owner/occupier prior to<br>drafting Notice.              |  |  |  |
| 13 <sup>th</sup><br>December<br>2005 | Rear of 232<br>Lichfield<br>Road, New<br>Invention               | Informal<br>action<br><br>- that 'T<br>Mobile' be<br>instructed to<br>remove their<br>telecom mast<br>at end of 6<br>month period.<br>(claim of<br>'emergency<br>permitted<br>development'<br>for 6 months) |   |  |  |  |
| 10 <sup>th</sup> January<br>2006     | Barr Beacon<br>Farm, Bridle<br>Lane, Barr<br>Beacon,<br>Aldridge | Enf. Notice<br><br>Telecommuni<br>cations mast<br>and base<br>compound  | Legal Services serving<br>RFI for owner/occupier<br>information prior to<br>drafting of notice. |  |  |  |

**Part B – Enforcement Action taken under delegation**

| <b>Address</b>                                 | <b>Breach</b>  | <b>Type of Action</b> | <b>Date Notice served / Progress</b> | <b>Compliance date / appeal</b>        | <b>Complied? Yes/No</b>   | <b>Prosecution?</b>   |
|--|--|-----------------------|--------------------------------------|--|---|---|
| Redrow Homes,<br>Aldridge Road                 | Breach of Condition Notice – Breach of operational hours | BCN                   | Notice Served<br>1st October 2004    | To be complied with by 30 October 2004 | Some breaches were reported by residents- compliance improved following correspondence. At time of writing no evidence of breaches. | Evidence for prosecution is to be monitored.  |
| 34 Milton Street                               | Planning Contravention Notice- Use as a Community Centre | PCN                   | Notice served<br>19 October 2004     | Compliance 21 days                     | Returned by Post Office. Not re-served - circumstances changed meeting, inspection, and planning application discussions.           |   |
| Unique Roofing Ltd<br>Balls Street,<br>Walsall | Breach of Condition Notice – storage on parking area     | BCN                   | Notice served 28/6/05                | Compliance 30 days                     | No<br>A planning application for alternative parking was expected but was not received.   | Report for Committee authority may be made following consultation with Transportation officers. |

|                           |   |     |                       |                    |    |   |
|---------------------------|---|-----|-----------------------|--------------------|----|---|
|                           |   |     |                       |                    |    |   |
| 11 Aldridge Road, Walsall | Breach of Condition Notice - Formation of opening for side-facing window. | BCN | Notice served 22/9/05 | Compliance 30 days | No | Report for Committee authority may be made. |