

COUNCIL, 10 June 2015

REPORT OF THE GOVERNANCE COMMITTEE

CHANGES TO DELEGATED POWERS – REGULATORY SERVICES

At its meeting on 28 January 2015, Council ratified changes to the Constitution concerning powers delegated to the Head of Regulatory Services. One of these changes concerned the service of notices against breaches of planning control.

Review of enforcement authority reports presented to Regulatory Services over the period January 2013 to date showed that in no instances did the Committee decline to authorise staff to initiate enforcement action. It was agreed that extending delegated powers to cover all types of enforcement case including Enforcement Notices and Listed Building Notices would speed up the timeframe within which notices may be created and served and the associated reduction in reports to Committee would create process efficiencies.

Council agreed that Section 3.6.6(p) be altered to:

"To issue Enforcement Notices, Stop Notices and Listed Building Enforcement Notices."

However, due to an oversight the wording of the altered text should have continued to say the following words brought forward from the existing Section 3.6.6(p):

"... and to take any action necessary to achieve compliance with a notice, including commencing proceedings for injunctions and demolishing buildings."

It is therefore requested that this additional wording be noted as a supplementary alteration to the previously agreed change to Section 3.6.6(p).

Recommendation:

That Section 3.6.6 (p) of the Council's Constitution be amended to include the following additional wording:

"... and to take any action necessary to achieve compliance with a notice, including commencing proceedings for injunctions and demolishing buildings."