

REPORT FROM: HEAD OF LEGAL SERVICES
TO: NELSON, BRIERFIELD AND REEDLEY COMMITTEE
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**ENFORCEMENT ACTION
 NELSON, BRIERFIELD AND REEDLEY**

BUILDING ACT NOTICES, ENFORCEMENT NOTICES & BREACH OF CONDITION NOTICES

Address	File No	Date of Cttee Resolution	Date Served On	Taking Effect	Date to Comply	Details
1. Land at 113 Leeds Road, Nelson	3503	Delegated 18/03/20	6/7/20	N/A	6/8/20	Breach of Condition Notice requiring the submission and approval of a scheme for the extraction, treatment and dispersal of fumes and odours. Hearing 03/11/22 – both defendants fined. Extraction system due to be installed mid-February 2023. If it is not installed by then the matter will be referred to Legal for prosecution.
2. Land to the south of Pendle Bridge, Reedley	3405	Delegated 29/1/20	11/2/20	24/3/20	24/9/20	Enforcement Notice served requiring the owner to remove the caravans. Trial 27/01/22 – prosecution successful and the Defendant has been fined. Occupants still on the land. Instructions sent to Legal to apply for a High Court Injunction.

3.	Land at 21 Sefton Street, Brierfield	3542	Delegated 19/8/20	7/10/20	18/11/20	30/6/21	Enforcement Notice served requiring the owner to reduce the depth of the extension to a maximum of 4 metres. Instructions sent to Legal to commence proceedings for the longstanding non-compliance.
4.	Land at 72 Cloverhill Road, Nelson			2/8/21 22/9/21			Section 77 Notice under the Building Act 1984 served on owner to take down the defective side of the wall and build the wall back on a suitable foundation. 27/01/22 - remediation works have begun and officer to diarise for completion. Awaiting response/update from Craig Taylor, Building Control.
5.	Land at 30 Higher Reedley Road, Brierfield, BB9 5HA	3765	Delegated 18/10/21	10/12/21	N/A	7/1/22	Breach of Condition Notices served for 12 breaches including details of landscaping, method statement, drainage scheme, scheme for highway improvement works, details to adoptable standards of internal road, details of future management and maintenance of internal road, completion of estate road, site access work, scheme for surfacing and paving of car parking areas, scheme for cycle storage facilities, scheme for electrical vehicle charging points and sample of materials to be used in the external construction of the development. Work has been completed, awaiting submission from developer.
6.	Land at 90 Manchester Road, Nelson, BB9 7HD	3767	Delegated 16/11/21	10/12/21	N/A	7/1/22	Breach of Condition Notices served for 4 breaches including details of design and materials, scheme for fumes and sound installation. Hearing on 01/12/22 – the defendant was fined. The defendant has still not complied. Further prosecution pending.

<p>7. Land at Nelson Tyre Centre, former Ambulance Station, Rakes House Road, Nelson BB9 0AP</p>	<p>3791 Delegated 7/2/22 N/A 9/3/22</p> <p>3828 Delegated 16/5/22 N/A 15/6/22 & 29/6/22</p>	<p>Breach of Condition Notice served for breaches relating to permitted operating timescales Monday – Friday 08:00 hrs to 18:00 hrs Saturday 09:00 hrs – 13:00 hrs and no operational activity at any time on Sundays and Bank Holidays.</p> <p>Breach of Condition Notice served relating to mitigation measures proposed in Noise Assessment TW0207219NR.REV5. Noise abatement materials now permitted – allowing time for installation. Sound proofing ordered. Expected lead time is 12 to 14 weeks. Expected installation date March/April 2023. Planning Enforcement Officer to contact the owner for an invoice of the sound proofing. If there is a further delay with compliance, the matter will be referred to Legal for prosecution.</p>
<p>8. Land at Barden Lane Stables, Barden Lane, Brierfield</p>	<p>3789 Delegated 9/3/22 N/A 11/4/22</p>	<p>Breach of Condition Notice served requiring the submission of a full landscaping scheme for the site, a full scheme for the site highway works, the surfacing of the access to the site and provision of drainage for the access. Instructions sent to Legal to prosecute for non-compliance.</p>

9. Land at 1 Place De Creil, Nelson	3852	Delegated	16/6/22	N/A	15/7/22	Breach of Condition Notice served requiring the submission of details for approval for the hours of opening; details of the extraction system to deal with the treatment and dispersal of particles, fumes and odours and the scheme for the collection, storage and disposal of waste and recycling. The matter is listed for hearing on 23 rd March 2023.	
10. Land at 7 Limefield Avenue, Brierfield	3946		17/11/22	30/11/22	04/01/23	04/03/22	Enforcement Notice served for the change of use of land from residential to a mixed use of residential and the storage of motor vehicles, car parts, transporters and a caravan.
11. Land at Springbank Buildings 226-248 Every Street, Nelson	3947		17/11/22	07/01/22	10/01/23	10/04/23	Enforcement Notice served requiring the removal of a canopy, roller shutters and back housing and to make good any damage caused to the building as a result of compliance with the notice.