

APPENDIX 1

UPDATE OF LIST OF NOTICES SERVED AND ACTIONS TAKEN

ACOLAID CASE NUMBER	ADDRESS / LOCATION	BREACH OF PLANNING CONTROL	TYPE OF NOTICE SERVED	APPEAL MADE AND RESULT	COMPLIANCE / ACTION TAKEN
05/0372 Pilkington Park Ward	Land at Philips Park Road West, Whitefield	Tipping of clays, waste materials and engineering operation	Enforcement Notice served 9/1/06	Appeal lodged	Continuing to monitor varied Enforcement Notice to ensure complied with regarding landscaping planting works to be done by 16/5/08
05/0218 Ramsbottom Ward	Land at Eaves Cottage, Hawkshaw Lane, Bury	Erection of wall and fencing	Enforcement Notice served 14/3/06	No Appeal made	Negotiations have led to the removal of the railings and no further action is now required.
05/0418 East Ward	11 to 13 Victoria Buildings, Silver Street, Bury	Installation of new shop front without planning permission	Enforcement Notice served 20/3/06	Appeal lodged	New shop front now installed further works required to ensure full compliance negotiations continuing
04/0086 Radcliffe North Ward	Land at Keystone Cottage, Taylors Lane, Ainsworth, Bury	Without the benefit of planning permission erection of a timber riding area cover	Enforcement Notice served 16/5/06	No Appeal made	Prosecution file sent to legal 11/3/08 for non compliance with the Notice
05/0277 North Manor Ward	120 Railway Street, Summerseat, Ramsbottom	Erection of second floor rear dormer including alteration of ridge line	Enforcement Notice served 3/7/06	No Appeal made	Notice not complied with interviewed owner under caution progressing towards prosecution
04/0260 Radcliffe East Ward	Land situated between Politt Street and Cock Clod Street, Bury	Untidy land	Section 215 Untidy land Notice served on 8/8/06	No Appeal made	Notice not complied with proceeding towards prosecution, the land still untidy

05/0279 Ramsbottom Ward	Zaidy's Pizza and Curry House, 14 Bolton Street, Ramsbottom, Bury	Premises remaining open outside permitted hours in contravention of condition 4 of C/19837/87	Enforcement Notice served on 16/8/06	No Appeal made	Observations continuing to ensure compliance with the notice. At last site visit the back door was open and 2 men seen but no sales witnessed.
05/0279 Ramsbottom Ward	Zaidy's Pizza and Curry House, 14 Bolton Street, Ramsbottom, Bury	Premises remaining open outside permitted hours in contravention of condition 4 of C/19837/87	Breach of Condition Notice served on 16/8/06	N/A	Observations continuing to ensure compliance with the Notice
06/0095 East Ward	24 Shepherd Street, Bury	Without planning permission the erection of a car port structure	Enforcement Notice served on 23/8/06	No Appeal made	Proceeding towards prosecution, part of the car port structure remains
05/0426 Pilkington Park Ward	Land and property at 5 Ringley Drive, Whitefield	Untidy land and property	Section 215 Untidy Land Notice served on 22/8/06	Appeal lodged	Notice now complied with, Legal requesting the appeal against the notice be withdrawn as no further action envisaged at the moment
06/0228 Radcliffe West Ward	Woodacre Trekking School, land adjacent to Prestolee Road, Radcliffe	Without the benefit of planning permission the siting of one touring caravan, one static caravan and two metal storage containers	Enforcement Notice served on 18/10/06	Appeal lodged 11/12/06	Proceeding towards prosecution for non compliance with the Notice. The containers and caravans remain
05/0295 Pilkington Park Ward	Whitefield House, former Whitefield Town Hall, Pinfold Lane, Whitefield	Untidy land	Section 215 Notice served on 15/11/06	No Appeal made	Further adjournment to hear judicial review of Bury Magistrates Court for not allowing an Appeal against the Notice. No date set as yet for when this is to take place.

N/A Sedgley Ward	Drum Works, Park Road, Bury	Unauthorised tipping on land by David Briggs	Assisted Environment Agency as witness in Prosecution	N/A	Mr. Briggs Pleaded Guilty to offences at Bury Magistrates Court and was fined a total of £13,000. Further action to follow
04/0042 Moorside Ward	Sillinghurst Farm, Castle Hill Road, Bury	Unauthorised works to a Grade II Listed building – installation of uPVC windows and strap pointing	Listed Building Enforcement Notice served 17/1/07	No Appeal made	To check Notice complied with after compliance period expires which is 26/2/08 for the strap pointing and 26/2/09 for removing and replacing the uPVC windows. Negotiations involving Conservation Officer continuing to ensure compliance
06/0180 Sedgley Ward	4 Linksway, Prestwich, Bury	Erection of an extension with a flat roof instead of a pitched roof. Planning permission no. 43004/04 was granted for a pitched roof	Enforcement Notice served 31/1/07	No Appeal made	Extension now built as planning permission and the Notice complied with. No further action required
06/0649 Radcliffe East Ward	RTK Grab and Skip Hire Ltd, 59 Bury Road, Radcliffe	Tipping on land at Daisyfield, Wellington Street, Bury	Enforcement Notice served on 7/2/07	No Appeal made	The site is now being developed in accordance with planning permission negotiations entered into to comply with Notice. Prosecution held in abeyance.
06/0649 Radcliffe East Ward	RTK Grab and Skip Hire Ltd, 59 Bury Road, Radcliffe	Tipping on land at Daisyfield, Wellington Street, Bury	Temporary Stop Notice served on 7/2/07	N/A	Notice not complied with Trial at Bolton Crown Court set for 11/6/08 for 3 weeks

06/0628 Pilkington Park Ward	North Lodge, Park Lane, Philips Park, Whitefield	Unauthorised works to Grade II Listed Building – installation of uPVC window	Listed Building Enforcement Notice served on 1/3/07	No Appeal made	Notice not complied with proceeding towards prosecution as window remains in position
07/0006 East Ward	First Choice Continental Cash and Carry Ltd, Cook Street, Bury	Change of use from Industrial (B2) to predominantly retail (A2) Cash and Carry Supermarket together with some Wholesale sales(B8)	Enforcement Notice served on 21/3/07	Appeal lodged	Appeal decision on 6/5/08 the Enforcement Notice was quashed and planning permission was allowed for sales subject to conditions
06/0649 Radcliffe East Ward	RTK Grab and Skip Hire Ltd, 59 Bury Road, Radcliffe	Tipping on land at Daisyfield, Wellington Street, Bury	Planning Contravention Notice served 25/4/06	N/A	Notice not complied with Trial at Bolton Crown Court set for 11/6/08 for 3 weeks
06/0649 Radcliffe East Ward	RTK Grab and Skip Hire Ltd, 59 Bury Road, Radcliffe	Tipping on land at Daisyfield, Wellington Street, Bury contrary to planning permission no. 46433	Planning Contravention Notice served 17/1/07	N/A	Trial at Bolton Crown Court set for 11/6/08 for 3 weeks
06/0009 Sedgley Ward	110 and 112 Park Road, Prestwich	Formal Complaint regarding High Hedge	High Hedge Remedial Notice served on 31/7/06	No Appeal made	Monitoring to ensure compliance with the Notice which requires the Hedge to be reduced to a max height of 4.8.metres. Part of the hedge has now been reduced as required by the Notice
06/0448 Holyrood Ward	30 Simister Lane, Prestwich	Formal Complaint regarding High Hedges	High Hedge Remedial Notice served on 29/3/07 – two of two served at the property	No Appeal made	Notice still not fully complied with proceeding towards prosecution

06/0649 Radcliffe East Ward	John Bottomley, Director, RTK Grab and Skip Hire Ltd, 59 Bury Road, Radcliffe	Tipping on land at Daisyfield Wellington Street, Bury and land off Outwood Road, Radcliffe	Prosecution	N/A	Charged at Bury Police Station and appearing at Bolton Crown Court 11/6/08
06/0649 Radcliffe East Ward	Lisa Kay, Co Secretary, RTK Grab and Skip Hire Ltd, 59 Bury Road, Radcliffe	Tipping on land at Daisyfield Wellington Street, Bury and land off Outwood Road, Radcliffe	Prosecution	N/A	Charged at Bury Police Station and appearing at Bolton Crown Court 11/6/08
06/0088 Tottington Ward	Land at 321 Turton Road, Tottington, Bury	Erection of building for use as storeroom and hobby workshop	Enforcement Notice served on 1/5/07	Appeal lodged	Appeal dismissed, monitoring to ensure compliance with the Notice to demolish and remove the storeroom/hobby workshop which is to be done by 12/8/08
06/0409 North Manor Ward	Land off Mather Road, Bury	Untidy land	Section 215 Notice served on 6/6/07	No Appeal made	Monitoring to ensure compliance with the steps of the Notice at last inspection the site was much tidier
06/0322 Holyrood Ward	Land and property at 148 Heywood Road, Prestwich	Unauthorised erection of a fence and two gateposts more than 1 metre in height adjacent to a highway	Enforcement Notice served on 7/6/07	No Appeal made	Property checked 27/2/08 when it was noted the fence and gate posts had been reduced as required by the Notice. No further action required.
06/0535 Holyrood Ward	Land and property at 480 to 484a Bury Old Road, Prestwich	Untidy land and property	Section 215 Notice served on 13/6/07	No Appeal made	Proceeding towards prosecution for non compliance with Notice
07/0146 Tottington Ward	Land and property at the former Roach Packing Case and Timber Co, Scobell Street, Bury	Untidy land and property	Section 215 Notice served on 28/6/07	No Appeal made	Proceeding towards prosecution for non compliance with Notice

06/0109 Sedgley Ward	Land between 104 and 110 Albert Avenue, Prestwich	Untidy land	Section 215 Notice served on 29/6/07	No Appeal made	Proceeding towards prosecution for non compliance with Notice
06/0271 Radcliffe East Ward	Land at Bury Road and Park Street, Radcliffe	Breach of Condition 14 of planning permission no. 44465 re artwork	Breach of Condition Notice served on 29/6/07	N/A	Proceeding towards prosecution for non compliance with Notice
05/0302 North Manor Ward	Land and property at The Lord Raglan Pub, Mount Pleasant, Nangreaves, Bury	Unauthorised installation of replacement uPVC windows	Listed Building Enforcement Notice served on 29/6/07	No Appeal made	Monitoring to ensure compliance with the steps of the Notice which require the work to be done by 30/7/08
05/0295 Pilkington Park Ward	Whitefield House, former Whitefield Town Hall, Pinfold Lane, Whitefield	Untidy land and property	Prosecution	N/A	Further adjournment to hear judicial review of Bury Magistrates Court for not allowing an Appeal against the Notice. No date set as yet for when this is to take place.
07/0084 Various Wards	At various locations throughout Bury M.B.C.	Erection of unauthorised advertisements by 'Apex Self Storage'	Prosecution	N/A	Prosecution file sent to Legal for the unauthorised advertisements erected
06/0289 Tottington Ward	14 Birch Avenue, Tottington, Bury	Erection of a timber fence over 1 metre in height adjacent to a highway	Enforcement Notice served on 26/7/07	No Appeal made	Notice not complied with proceeding towards prosecution
07/0229 Radcliffe East Ward	Former Halls Factory, Morris Street, Radcliffe	Importation and deposit of soils, clays, waste etc without planning permission	Enforcement Notice served on 10/8/07	Appeal Lodged	Breach ceased Appeal withdrawn and Notice withdrawn

06/0114 Sedgley Ward	30 Deyne Avenue, Prestwich	Erection of a raised timber decking structure together with railings and steps	Enforcement Notice served on 28/8/07	No Appeal made	Proceeding towards prosecution for non compliance with the Notice
06/0228 Radcliffe West Ward	Woodacre Trekking School, land adjacent to Prestolee Road, Radcliffe	Siting of 2 metal shipping containers and 1 metal container/van body without planning permission	Enforcement Notice served on 30/8/07	No Appeal made	Proceeding towards prosecution for non compliance with the Notice
06/0109 Sedgley Ward	Land and property at 104 Albert Avenue, Prestwich	Untidy land and property	Section 215 Notice served on 29/8/07	No Appeal made	Proceeding towards prosecution for non compliance with the Notice
06/0622 St.Mary's Ward	Land and property at Shrewsbury House, Lowther Road, Prestwich	Untidy land and property	Section 215 Notice served on 29/8/07	No Appeal made	Notice part complied with further tidy up work required negotiations continuing
07/0229 Radcliffe East Ward	Former Halls Factory, Morris Street, Radcliffe	Unauthorized change of use of land from former factory premises (B2 Use) to a demolition contractor's yard (Sui Generis Use)	Enforcement Notice served on 14/9/07	Appeal lodged	Breach ceased Appeal withdrawn and Notice withdrawn
06/0536 Moorside Ward	Land at end of Wolstenholme Avenue, Bury	Untidy land	Section 215 Notice served on 13/9/07	No Appeal made	Monitoring to ensure compliance with the steps of the Notice developer back on site tidying up and building work continuing

07/0379 Holyrood Ward	Land and property at 26 Willingdon Drive, Prestwich	Untidy land and property	Section 215 Notice served on 24/10/07	No Appeal made	Monitoring to ensure compliance with steps of the Notice at last site inspection the site was much tidier
07/0383 Radcliffe North Ward	Land at Lever Street near to Herbert Street, Radcliffe	Untidy land	Section 215 Notice served on 8/11/07	No Appeal made	Land in ownership of several persons. Most owners complied Monitoring to ensure the remainder comply with the steps of the Notice
05/0383 Redvales Ward	Land fronting Baron Street, Bury	Non compliance with Condition regarding work of art	Breach of Condition Notice served on 23/11/2007	N/A	Sun dial now in place notice complied with no further action required
07/0504 Redvales Ward	Land and property at 6 Albany Drive, Bury	Untidy land and property	Section 215 Notice served on 22/11/07	No Appeal made	Monitoring to ensure compliance with the steps of the Notice
07/0420 Holyrood Ward	Land and property at 33 Glebelands Road, Prestwich	Untidy land and property	Section 215 Notice served on 22/11/07	No Appeal made	Monitoring to ensure compliance with the steps of the Notice
07/0176 Sedgley Ward	176 Albert Avenue, Prestwich	Erection of timber fence over 2 metres without planning permission	Enforcement Notice served on 11/12/07	No Appeal made to date	Monitoring to ensure compliance with the steps of the Notice if no Appeal made
06/0391 Redvales Ward	Land at Garsdale Close, Gigg Lane, Bury	Breach of Condition regarding erection of railings	Breach of Condition Notice served on 18/12/07	N/A	Railings now erected Notice complied with no further action required
06/0071 Sedgley Ward	Former Manor Park Nursing Home, The Residences, Scholes Lane, Prestwich	Erection of Timber decking and railings to first floor of Listed Building	Listed Building Enforcement Notice served on 21/12/07	No Appeal made	Monitoring to ensure compliance with the steps of the Notice

04/0384 Sedgley Ward	The Residences, Scholes Lane, Prestwich	Erection of metal gates over 1 metre in height, adjacent to highway	Enforcement Notice served on 21/12/07	Appeal lodged	Awaiting result of Appeal Hearing which is on 15/7/08 before deciding upon next course of action
06/0290 Radcliffe West Ward	Land and Buildings North side of Water Lane Street, Radcliffe	Untidy land and property	Section 215 Notice served on 24/1/08	No Appeal made	Monitoring to ensure compliance with the steps of the Notice
08/0012 Radcliffe East Ward	76 – 80 Water Street, Radcliffe	Unauthorised Change of Use of property from a shop (A1 Use) to a 'massage parlour' (D1/D2/Sui Generis Use)	Enforcement Notice served on 31/1/08	Appeal lodged on 4/3/08	Awaiting result of Appeal on before deciding upon next course of action
07/0582 Church Ward	Former Benny's Night Club, off Hindle Lane, Radcliffe	Untidy land	Section 215 Notice served on 4/2/08	No Appeal made to date	Site now tidy Notice complied with. No further action required.
07/0208 Redvales Ward	Land and property at Orchard Court, off Manchester Road, Bury	Breach of Condition regarding block paving; tarmac laid instead	Breach of Condition Notice served 3/3/08	N/A	Monitoring to ensure compliance with the steps of the Notice. In negotiation with developers to resolve
06/0008 Elton Ward	Land and property at Brandlesholme Hall, Brandlesholme Road, Bury	Breach of Condition regarding windows installed in summerhouse	Breach of Condition Notice served on 4/3/08	N/A	Monitoring to ensure compliance with the steps of the Notice
07/0282 Radcliffe North Ward	Land and Property at Fold Mill, Bradley Lane, Bradley Fold, Radcliffe	Creation of bunds to the site boundaries	Enforcement Notice served on 10/3/08	No Appeal made	Monitoring to ensure compliance with the steps of the Notice

07/0282 Radcliffe North Ward	Land and Property at Fold Mill, Bradley Lane, Bradley Fold, Radcliffe	Resiting metal fence and gates and installation of roller shutter door	Enforcement Notice served on 10/3/08	No Appeal made	Monitoring to ensure compliance with the steps of the Notice
07/0411 Elton Ward	L.A. Pizza, 355 Brandlesholme Road, Bury	Opening outside approved opening hours granted by planning permission	Breach of Condition Notice served on 18/3/08	N/A	Monitoring to ensure compliance with the steps of the Notice
07/0588 Radcliffe North Ward	75 Moss Shaw Way, Radcliffe	Erection of rear extension not in accordance with approved plans	Enforcement Notice served on 20/3/08	No Appeal made	Monitoring to ensure compliance with the steps of the Notice
07/0273 Radcliffe North Ward	Richard Cort Ltd, 701 Manchester Road, Bury	Breach of Condition regarding Surface water drainage of the site	Breach of Condition Notice served on 19/3/08	N/A	Monitoring to ensure compliance with the steps of the Notice
07/0434 Radcliffe East Ward	PPS Commercials Ltd, Cemetery Works, Cemetery Road, Radcliffe	Breach of Conditions regarding parking, storage and access to the site	Planning Contravention Notice served on 5/2/08	N/A	Notice return within time with questions answered and complied with
06/0644 Radcliffe East Ward	Gorse Hill Farm, Starling Road, Radcliffe	Storage of static caravan on land, without planning permission	Planning Contravention Notice served on 6/3/08	N/A	Notice return within time with questions answered and complied with
07/0302 Tottington Ward	Land to the West of High Street, Walshaw, Bury	Storage of a metal container on land without planning permission	Planning Contravention Notice served on 12/3/08	N/A	Monitoring to ensure complied with
08/0022 Sedgley Ward	Land and property at 42 Richmond Avenue, Sedgley Prestwich	Dormers not built in accordance with planning permission	Planning Contravention Notice served on 20/3/08	N/A	Monitoring to ensure complied with

07/0108 Radcliffe East Ward	Land and property at 2 and 6 Leander Close, Radcliffe	Non completion of cycleways required by planning condition	Planning Contravention Notice served on 20/3/08	N/A	Notice return within time with questions answered and complied with
07/0239 Radcliffe East Ward	Rams Head Pub, 40 – 42 Stand Lane, Radcliffe	Untidy land and property	Section 215 Notice served on 2/4/08	No appeal to date	Monitoring to ensure compliance with the steps of the Notice if no Appeal made
06/0369 Redvales Ward	152 Parkhills Road, Bury	Erection of conservatory without the benefit of planning permission	Enforcement Notice served on 3/4/08	No appeal to date	Monitoring to ensure compliance with the steps of the Notice if no Appeal made

N/A in the 'Appeal made' column means that there is no Appeal available for these types of Notices under Planning Legislation