

APPENDIX 1

UPDATE OF LIST OF NOTICES SERVED AND ACTIONS TAKEN (July 2008)

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 upheld subject to condition	Tree and shrub planting now carried out. No further action envisaged
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 awaiting progress
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 who suffers from a mental disorder attempting to negotiate resolution without resorting to 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	Land still untidy to interview owner under caution / send booking letter with a view to prosecuting for non compliance
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	No further complaints received insufficient evidence to prosecute at the moment. The site is to be monitored in the future to ensure compliance

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	No further complaints received insufficient evidence to prosecute at the moment. The site is to be monitored in the future to ensure compliance
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	Further visit reveals part of the car port structure still remains to interview owner under caution/send booking letter with a view to prosecuting for non compliance with the notice
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
06/0144 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	Enforcement Notice varied to remove the metal containers from the Notice. The Notice is still not being complied with, to send a booking letter to the owner with a view to prosecuting for non compliance with the Notice
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	Judicial review decision is that the matter should be referred back to Bury Magistrates Court to determine whether the Appeal is valid. Initial date set for hearing is 16/7/08

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
06/0649 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	Prosecution case stayed on legal technicality regarding disclosure. Owner of RTK warned by the Court and ordered to pay his own costs. No further action to be taken
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	A further site inspection reveals the Notice has not been complied with. To send a booking letter to the owner with a view to prosecuting for continued non compliance with the Notice
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	Further action required 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 further contact with the owner to ensure full compliance with the Notice

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	Prosecution case stayed on legal technicality regarding disclosure. Mr. Bottomley owner of RTK warned by the Court and ordered to pay his own costs. No further action to be taken
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	Prosecution case against Lisa Kay withdrawn following legal advice
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	Notice part complied with at last inspection, further contact with owner to ensure full compliance
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	Notice still not complied with to send booking letter to owner with a view to prosecuting for non compliance with the 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	Further site inspection revealed Notice part complied with further contact with owner to ensure full compliance
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	The land remains untidy. To send a booking letter to the owner with a view to prosecuting for non compliance

					with the 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	Art work submitted but unacceptable further negotiations entered into to ensure a better piece of artwork is commissioned
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	Judicial review decision is that the matter should be referred back to Bury Magistrates Court to determine whether the Appeal is valid. Initial date set for hearing is 16/7/08
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 awaiting progress
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	Further site inspection reveals Notice still not complied with. To send a booking letter to the owner with a view to prosecuting for non compliance with the Notice
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	Notice still not complied with. To send a booking letter to the owner with a view to prosecuting 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	Notice still not complied with to send a booking letter to the owner with a view to prosecuting 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	Further site visit reveals notice still not complied with. To send a booking letter to owner with a view to prosecuting 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 a further Notice will be required Negotiations continuing with owner
06/0536 Moorside Ward	Land at end of Wolstenholme Avenue, Bury	Untidy land	Section 215 Notice served on 13/9/07; takes effect 15/10/07; compliance date: 12/1/08	No Appeal made	Further site inspection to required to monitor 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 Takes effect 26/11/07; Compliance date: 24/1/08	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 Takes effect 8/12/07; Compliance date: 6/3/08	No Appeal made	Land in ownership of several persons. Most owners complied remaining owners to be re- contacted to ensure they comply with the steps of the Notice

07/0504 Redvales Ward	Land and property at 6 Albany Drive, Bury	Untidy land and property	Section 215 Notice served on 22/11/07 Takes effect 26/12/07; Compliance date: 23/2/08	No Appeal made	Notice still not complied with further contact with the owner 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 Takes effect 26/12/07; Compliance date: 23/2/08	No Appeal made	Notice still not complied with further contact with owner 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 Takes effect 16/1/08; Compliance date - 15/3/08	No Appeal made	Notice not complied with further contact with owner to ensure compliance with the steps of the Notice
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; Takes effect 30/1/08; Compliance date 28/5/08	No Appeal made	Monitoring to ensure compliance with the steps of the Notice, further site inspection required
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; Takes effect 30/1/08; Compliance date 26/2/08	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; Takes effect 30/2/08; Compliance date 30/4/08	No Appeal made	Monitoring to ensure compliance with the steps of the Notice further site inspection required

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; Takes effect 5/3/08; Compliance date 3/4/08	Appeal lodged on 4/3/08	Awaiting result of Appeal on before deciding upon next course of action
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; Takes effect 8/3/08; Compliance date 6/4/08	N/A	Developers submitted scheme prior to submitting application in an attempt to resolve this matter. Scheme unacceptable further negotiations continuing
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; takes effect on 4/3/08; compliance date – 2/5/08	N/A	Planning permission granted for what built and windows now obscure glazed as required by the permission Notice also now complied with no further action required
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; Takes effect 10/4/08; Compliance date 8/7/08	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; Takes effect 9/4/08; compliance date – 7/6/08	No Appeal made	Monitoring to ensure compliance with the steps of the Notice, further site inspection to be carried out at same time as monitoring Notice served for bunds after 8/7/08
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; takes effect 18/3/08; Compliance date 25/3/08	N/A	Monitoring to ensure compliance with the steps of the Notice no breaches reported or witnessed since service of 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; takes effect 26/4/08; compliance date 25/7/08	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; takes effect 19/3/08; 2 compliance dates – 18/4/08 & 28/4/08	N/A	Further contact with owner required to ensure compliance with the Notice
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; Compliance date 2/4/08	N/A	Information received and unauthorised use to cease within 2 weeks
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; compliance date 10/4/08	N/A	Further action required proceeding towards prosecution for non return
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; takes effect 5/5/08; compliance date 2/8/08	No appeal made	Monitoring to ensure compliance with the steps of the Notice
06/0369 Redvales Ward	152 Parkhills Road, Bury	Erection of conservatory without the benefit of planning permission	Enforcement Notice served on 3/4/08; takes effect 5/5/08; compliance date 3/8/08	No appeal made	Monitoring to ensure compliance with the steps of the Notice
07/0470 Radcliffe North Ward	Duke William Inn, 1A Well Street, Ainsworth, Bolton	Erection of smoking shelter without the benefit of planning permission	Enforcement Notice served on 10/4/08; takes effect 10/5/08; compliance date 9/7/08	No Appeal made	Monitoring to ensure compliance with the Notice; a planning application has now been submitted Notice held in abeyance

07/0434 Radcliffe East Ward	PPS Commercials Ltd, Cemetery Works, Cemetery Road, Radcliffe	Breach of condition regarding noise nuisance audible from the site boundary	Breach of Condition Notice served on 14/5/08; takes effect 14/5/08; compliance date 13/6/08	N/A	Further site inspection required to ensure compliance with the steps of the Notice
07/0434 Radcliffe East Ward	PPS Commercials Ltd, Cemetery Works, Cemetery Road, Radcliffe	Breach of Condition regarding storage or parking of commercial vehicles, or raw materials	Breach of Condition Notice served on 14/5/08; takes effect 14/5/08; compliance date 13/7/08	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 Condition regarding entry and egress from the site	Breach of Condition Notice served on 14/5/08; takes effect 14/5/08 compliance date 13/6/08	N/A	Further site inspection required to ensure compliance with the steps of the Notice
07/0393 Ramsbottom Ward	38 Albert Street, Ramsbottom, Bury	The erection of timber decking or railings without planning permission	Enforcement Notice served on 23/5/08; Takes effect 26/6/08; compliance date 25/8/08	No Appeal made to date	Monitoring to ensure compliance with the steps of the Notice, if no Appeal made
07/0611 Radcliffe West Ward	Land opposite the former Hare and Hounds Inn, South side of Ringley Road, Outwood, Radcliffe	Untidy land	Section 215 Notice served on 30/6/08; takes effect 3/8/08; compliance date 31/10/08	No Appeal made to date	Monitoring to ensure compliance with the steps of the Notice, if no Appeal made
07/0469 Church Ward	Unit 6 Lowercroft Mill, Lowercroft Road, Bury	Unauthorised use of mill selling new and used furniture and other items	Planning Contravention Notice served on 10/4/08	N/A	Notice complied with information returned as required, no further action needed
08/0023 East Ward	Car park area at Star Breakers/Bury Salvage, Hurst St., Pimhole, Bury	Extension of scrap yard into car park area without planning permission	Planning Contravention Notice served 23/4/08; Compliance date 14/5/08	N/A	Notice complied with information returned as required, no further action needed

07/0555 Tottington Ward	Land off Kirklees Street, Bury	Infilling lodge, erection of fencing, siting of steel containers and residential caravan	Planning Contravention Notice served on 24/4/08; compliance date 15/5/08	N/A	Notice complied with information returned as required, no further action needed
08/0117 Ramsbottom Ward	4 Cheshire Court, Ramsbottom, Bury	Erection of 2 storey extension at side of 4 Cheshire Court without planning permission	Planning Contravention Notice served on 16/5/08; compliance date 6/6/08	N/A	Notice complied with information returned as required, no further action
07/0230 East Ward	12 Andrew Street, Bury	Use of property as House in Multiple Occupancy without planning permission	Planning Contravention Notice served on 30/6/08; compliance date 21/7/08	N/A	Monitoring to ensure the Notice is complied with and the information returned

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