

Bolsover District Council

Meeting of the Planning Committee on 21st January 2026

6 Monthly Enforcement Report – July – December 2025

Report of the Development Management and Land Charges Manager

Classification	This report is Public
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PURPOSE/SUMMARY OF REPORT

- To update the planning committee on performance against the service targets set out in the Local Enforcement Plan (Planning) (last updated September 2025) between 1st July 2025 – 31st December 2025 and provide an update on historic cases.

REPORT DETAILS

1. Background

1.1 The Local Enforcement Plan was adopted by the Planning Committee in 2019. It was updated in May 2022 and more recently in September 2025. The Plan sets out the following service standards that Planning Enforcement Officers consider are specific, measurable, achievable and realistic:

- The site of a high priority case will be visited on the same day the suspected breach of planning control has been identified wherever possible, but within one working day, and a decision on what further action is required will be taken within **24 hours** of that site visit. By way of example a high priority case includes unauthorised works to a listed building, arboriculture on protected trees or demolition in a Conservation Area.
- The site of a medium priority case will be visited within **two weeks** of identifying a suspected breach of planning control. A decision on what further action to take will be made within four weeks of that site visit. By way of example a medium priority case includes unauthorised development that contravenes planning policy, significantly impacts on local amenity or public safety, or results in harm to the character of a Conservation Area or setting of a listed building.

- The site of a low priority case will be visited within **six weeks** of identifying a suspected breach of planning control. A decision on what further action to take will be made within six weeks of that site visit. By way of example a low priority case includes unauthorised householder development, running small businesses from residential properties, unauthorised advertisements, and untidy land and buildings.

1.2 These service standards have been adopted to monitor how effective / responsive the department is to reports of breaches of planning control received by the planning department and helps highlight any capacity / resourcing issues, to ensure that good service delivery is maintained.

1.3 The purpose of this report is to update planning committee members on the number of enforcement enquiries that have been received and investigated during the period July 2025 – December 2025, identify the cases where formal enforcement action has been taken and provide an update on the number of active and closed cases.

2. Details of Performance over the Review Period

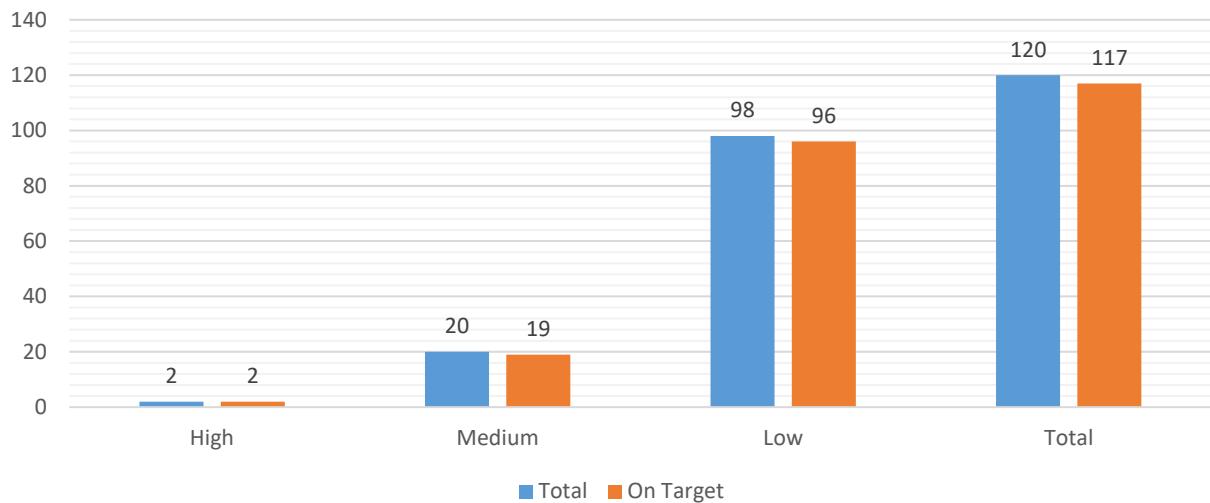
2.1 During the period 1st July 2025 – 31st December 2025, 120 unauthorised activity enquiries were received, down 10% on the previous 6 months review period. Two of these enquiries were high priority cases raised by officers as part of survey work undertaken and, as such, which were both visited / investigated within a 24-hour period.

2.2 20 medium priority and 98 low priority cases were received. As a total, 99% of cases were visited within the target period set out in the Local Enforcement Plan. This excludes 2 recent cases received which have not yet been visited. This represents high performance and is a slight improvement on the previous 6-month reporting period.

2.3 Of the 20 medium priority cases, 5 are currently pending consideration and 15 have been resolved / closed. Investigations began on 19 out of the 20 cases within two weeks (95%). Out of the 98 low priority cases, 23 are currently pending consideration and 73 have been resolved / closed. All the low priority cases (100%) were investigated and/or visited within the six-week target set out in the adopted Local Enforcement Plan, with only two recent cases awaiting a visit and/or investigation.

2.4 Graph 1 below shows the number of cases visited within the target set by priority:

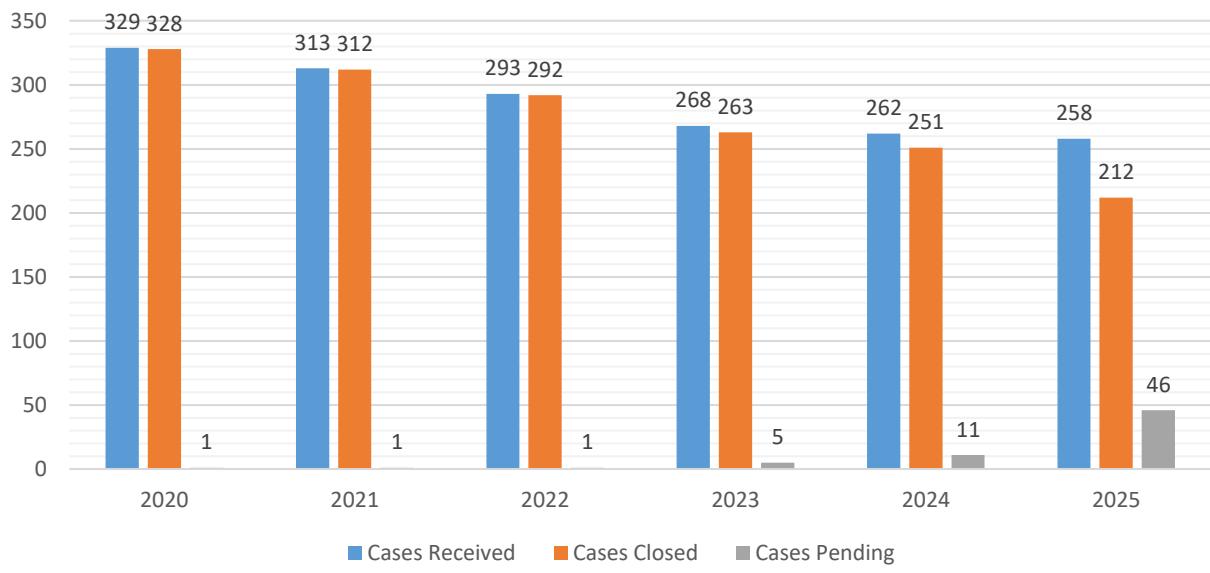
Graph 1: Sites visited by Priority - 1st July 2025 - 31st December 2025



2.5 The above statistics highlight very high performance from the departments dedicated Enforcement Officer, who currently undertakes visits and carried out initial investigations for all new enquiries received.

2.6 Graph 2 shows the number of cases pending consideration broken down per year starting from 2020, against the total number received and closed (as no historic cases are pending consideration before this year).

Graph 2: Cases by Year



2.7 Of the sole remaining cases open in the years 2020 - 2022 (E20/014 – Static Caravan, Site Of 11 Hyndley Road, Bolsover, E21/141- Unauthorised use of land for storage and the siting of a caravan for residential use at 123 Charlesworth Street, Carr Vale, Bolsover and E22/169 - Land South West Beaumont Cottage,

Hilcote Lane, Hilcote) Enforcement Notices have been served and are either the subject of an appeal or are being monitored by officers.

2.8 During the review period (July – December 2025) 4 no. enforcement notices have been served. The details of these notices are set out in the table below:

Table 1: Enforcement Notices Served over the review period – July – December 2025

Reference	Location	Type and Date of Notice
E21/141	123 Charlesworth Street, Carr Vale, Bolsover	Enforcement Notice – Issued 31 st October 2025
E24/234	Hillside Fordbridge Lane, South Normanton, Alfreton	Enforcement Notice – Issued 16 th October 2025
E25/130	Land To The Rear Of Leal Crest Cottage, Mill Lane, Pinxton	Stop Notice – Issued 25 th July 2025
E25/130	Land To The Rear Of Leal Crest Cottage, Mill Lane, Pinxton	Enforcement Notice – Issued 25 th July 2025

2.9 The above table indicates good performance in respect of formal planning enforcement action taken over the review period.

3. Reasons for Recommendation

3.1 The planning enforcement service has performed well against the standards set within the updated Local Enforcement Plan over the review period, with regard to both promptly visiting sites where planning breaches have been reported to the Council and resolving cases.

3.2 Good progress has been made on progressing historic cases and resolving breaches of planning control, with four new formal notices have been served. A high number of planning applications have been received on the back of action taken and there have been instances of voluntary compliance to regularise breaches of planning control without the need to take formal action. Success has also been had with regard to securing developer contributions owing in respect of the Chesterfield Road, Barlborough development (Hawthorne Meadows) following the issuing of an Interim Injunction by the High Court in September 2024. This resulted in the submission and approval of a DoV application and payment of all developer contributions owed and a plan for the delivery of the open space and affordable housing during the review period.

3.3 During the review period officers have also updated the Enforcement Plan. The updated plan was reported to Planning Committee in September 2025. The targets contained within it were retained to ensure that investigations continue to

be time bound and performance can be monitored to ensure excellent customer service. Legislative changes and changes to staffing and practices that have procedural implications and impact on the implementation of the plan were also made.

3.4 It is recommended that the enforcement performance over the review period be noted and that the service standards in the Local Enforcement Plan and updates on planning enforcement continue to be reported to Planning Committee on a half-yearly basis.

4. Alternative Options and Reasons for Rejection

4.1 By not reporting on performance, members of the planning Committee would not have any understanding or oversight of the planning enforcement service and its effectiveness.

RECOMMENDATION(S)

1. That the report be noted.
2. That the planning department's performance against the service standards in the Local Enforcement Plan and updates on planning enforcement continue to be reported to Planning Committee on a half-yearly basis.

<u>Finance and Risk</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:		
There are no significant cost implications involved with reporting performance against the Local Enforcement Plan but as noted below, this monitoring report may give rise to further consideration of the resources required by the enforcement team to work effectively.		
On behalf of the Section 151 Officer		
<u>Legal (including Data Protection)</u>	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Details:		
Producing this type of monitoring report is consistent with advice in the Local Enforcement Plan that says the Plan will be monitored and reviewed to ensure it remains consistent with case law and/or any subsequent changes in national guidance or legislation and continues to enable planning enforcement to be carried out effectively within the District. However, there is no legal requirement to produce a monitoring report.		
The above report does not contain any personal data.		

Where a case is still pending consideration, property addresses have not been provided to provide a reasonable amount of privacy for the landowners involved. Where the property is subject to formal action, the presence of an Enforcement Notice is a matter of public record, and that information is publicly available. Therefore, the way property addresses have been reported in the above report is considered to be consistent with the key principles in the GDPR.

On behalf of the Solicitor to the Council

Staffing Yes No

Details:

The adoption of and reporting on the targets set in the Local Enforcement Plan enables officers make the most efficient and effective use of resources by setting clear priorities and establishing a clear framework to work within. Performance is currently high, indicating that the service is appropriately resourced at this time.

On behalf of the Head of Paid Service

Equality and Diversity, and Consultation Yes No

Details:

Section 149 of the Equality Act 2010 places a statutory duty on public authorities in the exercise of their functions to have due regard to the need to eliminate discrimination and advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it (i.e., "the Public Sector Equality Duty").

The Local Enforcement Plan seeks to ensure the effective enforcement of breaches of planning control in the wider public interest. It does not discriminate against specific individuals, in terms of the targets set. The protected characteristics of a person(s) would be a relevant consideration when deciding what action should be taken on individual cases and any recipient of such action would be able to exercise their right to appeal. This does not form part of the monitoring requirements of the Local Enforcement Plan.

Environment Yes No

Please identify (if applicable) how this proposal/report will help the Authority meet its carbon neutral target or enhance the environment.

Details:

Effective planning enforcement helps to ensure that the environmental impact of development is not set aside or given due consideration. The taking of enforcement action can remedy harm or ensure that it is offset / outweighed by other benefits. Effective service delivery helps to achieve this objective.

DECISION INFORMATION:

<p>☒ Please indicate which threshold applies:</p> <p>Is the decision a Key Decision? A Key Decision is an Executive decision which has a significant impact on two or more wards in the District or which results in income or expenditure to the Council above the following thresholds:</p> <p>Revenue (a) Results in the Council making Revenue Savings of £75,000 or more or (b) Results in the Council incurring Revenue Expenditure of £75,000 or more.</p> <p>Capital (a) Results in the Council making Capital Income of £150,000 or more or (b) Results in the Council incurring Capital Expenditure of £150,000 or more.</p> <p>District Wards Significantly Affected: (to be significant in terms of its effects on communities living or working in an area comprising two or more wards in the District) Please state below which wards are affected or tick All if all wards are affected:</p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>(a) <input type="checkbox"/> (b) <input type="checkbox"/></p> <p>(a) <input type="checkbox"/> (b) <input type="checkbox"/></p> <p>All <input checked="" type="checkbox"/></p>
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<p>Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)</p> <p>If No, is the call-in period to be waived in respect of the decision(s) proposed within this report? (decisions may only be classified as exempt from call-in with the agreement of the Monitoring Officer)</p> <p>Consultation carried out: (this is any consultation carried out prior to the report being presented for approval)</p> <p>Leader <input type="checkbox"/> Deputy Leader <input type="checkbox"/> Executive <input type="checkbox"/> SLT <input type="checkbox"/> Relevant Service Manager <input type="checkbox"/> Members <input type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/></p>	<p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p> <p>Yes <input type="checkbox"/> No <input checked="" type="checkbox"/></p>
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<p>Links to Council Ambition: Customers, Economy, Environment, Housing</p> <p>Providing excellent services and protecting the quality of life for residents and the environment.</p>

Links to Council Ambition: Customers, Economy, Environment, Housing

DOCUMENT INFORMATION:

Appendix No	Title
n/a	

Background Papers

(These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Executive, you must provide copies of the background papers).

n/a

DECEMBER 2024