

**Report to:** Planning Committee

**Date:**

**Report of:** Head of Planning

**Report No:**

**Contact Officer:** Sim Manley

**Tele No:**

**Report Title:** **Quarterly Performance Figures - Planning Enforcement**

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**Non-Confidential:** **(Non-Confidential)** This report does **not** contain information which warrants its consideration in the absence of the press or members of the public

**Purpose:** To provide members with the latest up-to-date enquiry/complaints performance figures for Quarter 2 2020/21

**Recommendations:** This report is brought to members for information purposes only.

**Decision:** None

**Background Doc(s):** None

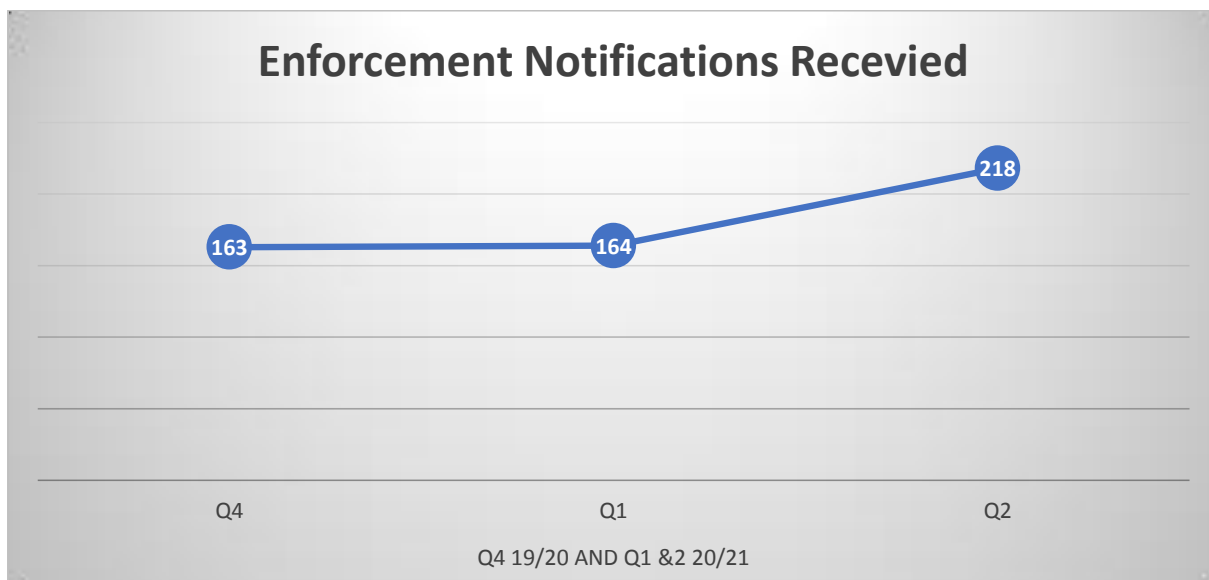
### **Report**

This report is brought before Members for information purposes only and to provide them with the up-to-date position regarding performance in respect of the Planning Enforcement function undertaken by the Department.

The data shown also includes the previous two quarters to allow for a comparison with previous performance.

### **Enforcement Cases Received and closed**

The table below shows the numbers of enforcement notifications received for the last three quarters.



Members will see from the above that, whilst the previous two quarters received an almost identical number of new cases, the last quarter has seen a marked rise from 164 to 218 which represents a 25% increase. The reason for this increase is not clear.

During the last Quarter, the department received 218 cases and managed to close 190 cases.

The total number of outstanding Enforcement cases is now 309 at the time of writing the report.

As reported previously, during this same period Planning Application numbers increased by 27%.

#### **Enforcement Site Visits Undertaken**

As you are aware the Council's Enforcement Policy has three categories of enforcement cases.

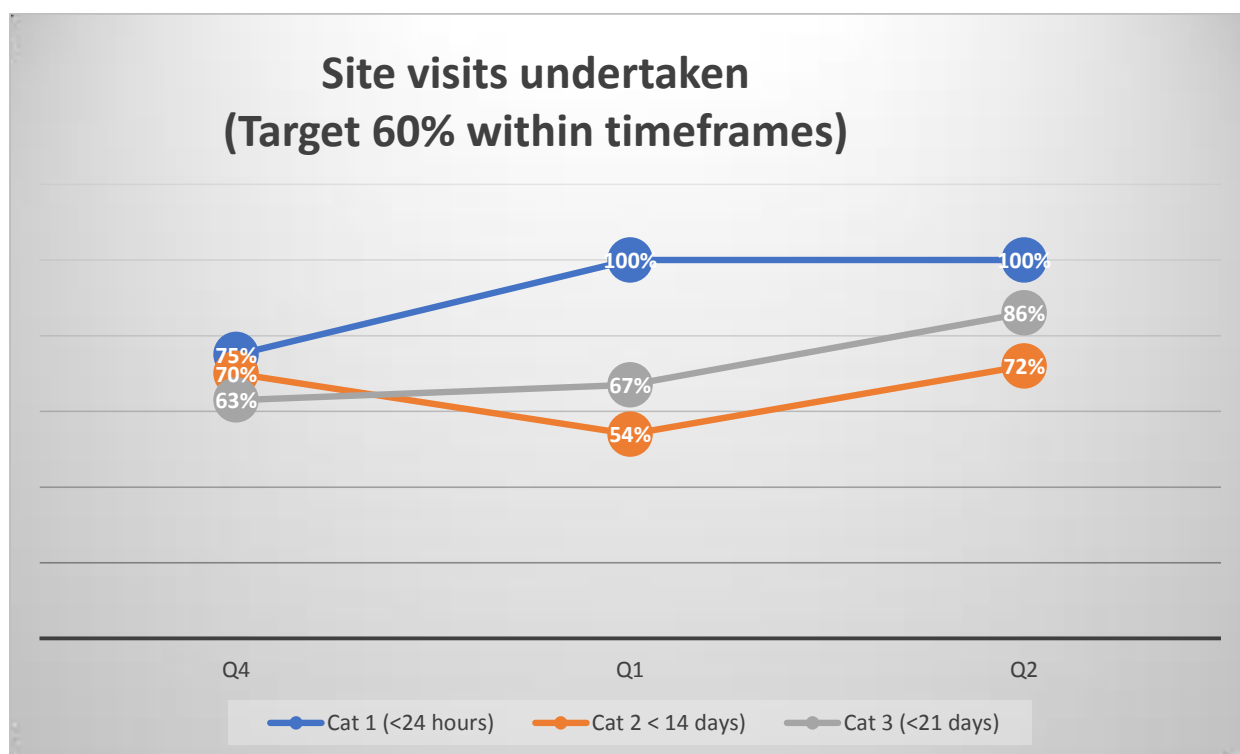
- Category 1 - very serious breaches where there is likely to be irrevocable harm caused i.e. unauthorised works to a listed building;
- Category 2 – Serious breaches where it is considered that there is significant adverse impact;
- Category 3 – Less harmful works or minor development.

Each category has a specific timeframe for when a site visit should be undertaken from first notification being received by the Council. The times frames are as follows:

- Category 1 – Site visit undertaken within 24 hours of first notification
- Category 2 – Site visit undertaken within 14 days of first notification
- Category 3 – Site visit undertaken within 21 days of first notification

It is recognised however, that sometimes it is not possible to undertake the site visit within the prescribed timeframes. For this reason, the adopted policy has set a performance target of 60% for each category i.e The Council will endeavour to visit 60% of all Category 1 notifications within 24 hours of the first notification.

The table shows the performance for the last three quarters matched against the 60% target.



As can be seen from the table, officers exceeded the 60% performance target for each Category and noticeably increased performance from the previous quarter.

The following table shows the percentage of site visits undertaken for each category, including those where the target was not reached.

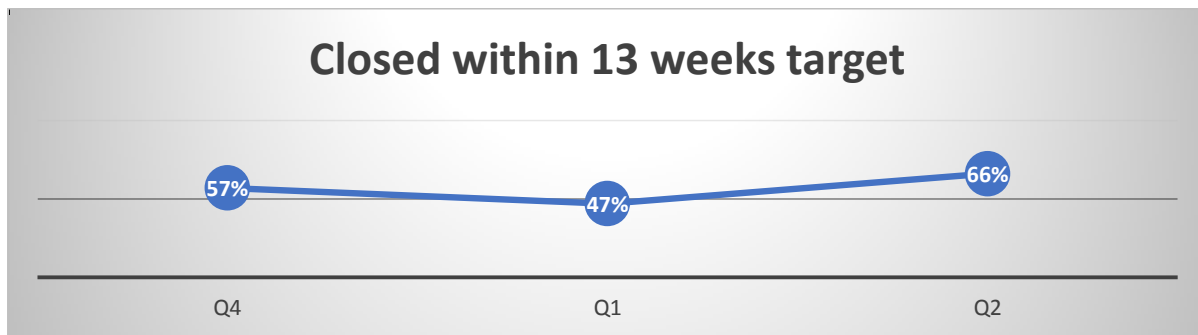
Enforcement site visits	Cat 1 (1 day)	Cat 2 (14 days)	Cat 3 (21 days)
Visited immediately	0%	11%	7%
Less than 1 day (24 hours)	100%	22%	11%
2-14 days	0%	38%	48%
15-21 days	0%	11%	18%
More than 21 days	0%	16%	14%
Percentage in time	100%	72%	86%

The areas of green indicate when site visits were undertaken within the agreed timeframes.

It is recognised, however, that whilst officers may well be meeting these targets, given the emotive nature of enforcement notifications, failure to meet the targets can quickly result in complaints being received. Accordingly, there is a need to ensure that regular case reviews are undertaken to ensure that, where the site visit is not undertaken with the timeframe (marked red above), it does take place as soon as possible after that date. Obviously the more serious the case, the closer to the target date the better, so drilling down into the figures, it is important that focus is given to Cat 2 (serious breaches) which are taking over 21 days to investigate moving forward.

### Cases Closed withn 13 weeks

The Enforcement Policy endeavours to resolve 50% of all enforcmenet cases within 13 weeks. The graph below shows the performance set against this target for the last three quarters:



As stated above, officers managed to close 190 cases in the last quarter. The graph above shows that 66% of those cases were closed within 13 weeks matched against the target of 50%.

Again it is recognised, that whilst officers may well be meeting these targets, given the emotive nature of enforcement notifications, failure to resolve issues quickly can be very frustrating and can result in complaints being received. However, it is critical to recognised, that the enforcement process can be a protracted one and can take a considerable amount of time to reach a conclusion, especially where it involves appeals and/or legal action. Whilst this is sometimes very frustrating for residents, processes must be followed precisely to ensure that the Council takes the appropriate action and does not leave itself open to costs at appeal, legal challenge and/or complaints being upheld by the Local Government Ombudsman.

It is also important to note that the is not always a direct correlation between the severity or complexity of the case and the time it takes to resolve. Some very harmful cases are closed very quickly following initial investigation with the breach ceasing almost immediately whilst other, much less harmful cases, can take a significant time to resolve.

Having regard to the above therefore, it is imperative that regular reviews of cases are undertaken with officers to ensure that, wherever possible, enforcement cases are actioned as soon as possible and brought to a conclusion, balanced against the checks and balances built into the process.

### Staff/Resourcing (See appendix 1)

It can be happily reported that three vacant planning officer posts within the department, currently being filled on an interim basis, have now been appointed to on a permanent basis, including an internal appointment from the Planning Technical team. This is important as it is these officers, amongst others, who provide the first response to enforcement cases when they are first received and undertake the initial investigation.

Importantly, it is recognised that these new officers will need to time to settle into their roles and, particulalry in response to the increased workloads, it is intended to extend the interim contracts for a limited period moving forwards. These interim roles will be reviewed on a regular basis having regard to workloads.

In the short term, to deal with the large increase in enforcement cases needing to be investigated, one officer within the enforcement team itself have been re-tasked to also undertake some of the first response site visits which have not been visited within the prescribed timeframes.

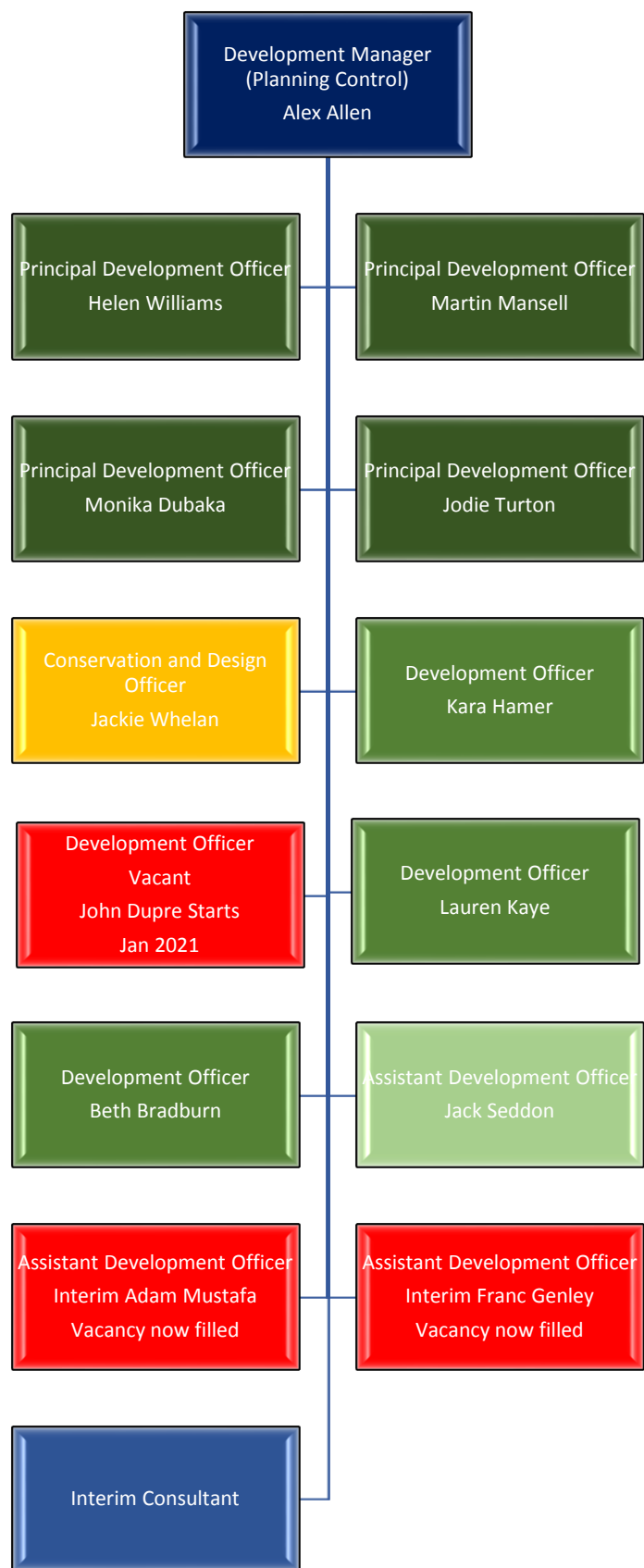
### Training

It can also be announced that, working with the Council's HR Team it is intended to role out a customer care training package which will help support officers in respect of their roles.

**Conclusion**

The officers dealing with these cases are meeting and exceeding the Council's performance targets as detailed within the Policy. This is set against a backdrop of a significant increase in both Enforcement cases and planning applications received by the Council, both of which are dealt with, in part, by the same Planning Officers. Notwithstanding that targets are being hit, it is recognised that the increases in workloads is having an impact upon the delivery of this function and as such measures are being put in place to ensure this issue is managed moving forwards.

## Appendix 1



Enforcement Team

