



## REPORT FOR DECISION

Agenda Item	
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**MEETING:** PLANNING CONTROL COMMITTEE

**DATE:** 22 January 2008

**SUBJECT:** PLANNING ENFORCEMENT

**REPORT FROM:** BOROUGH PLANNING AND TRANSPORTATION SERVICES OFFICER

**CONTACT OFFICER:** TOM MITCHELL – DEVELOPMENT MANAGER

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**TYPE OF DECISION:** COUNCIL

**FREEDOM OF INFORMATION STATUS:** This paper is within the public domain

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**SUMMARY:**

The report provides statistical information on Enforcement Activity during 1<sup>st</sup> October 2007 and 31<sup>st</sup> December 2007.

**OPTIONS AND RECOMMENDED OPTION (with reasons):**

The Committee is recommended to note the report.

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**IMPLICATIONS -**

**Corporate Aims/Policy Framework:** N/A

**Financial Implications and Risk Considerations** N/A

**Statement by Director of Finance and E-Government:** N/A

**Equality/Diversity implications:** N/A

**Considered by Monitoring Officer:** N/A

Are there any legal implications? No

**Staffing/ICT/Property:** N/A

**Wards Affected:** ALL

**Scrutiny Interest:** N/A

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**TRACKING/PROCESS**

**DIRECTOR:**

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
Scrutiny Commission	Executive	Committee	Council

**INTRODUCTION**

This report presents a brief analysis of Enforcement performance for the quarterly period from 1<sup>st</sup> October 2007 to 31<sup>st</sup> December 2007.

All Enforcement Notices served and Actions taken are considered against the provisions of the Human Rights Act 1998. In taking account of whether to serve an Enforcement Notice or take Action, which is a discretionary power afforded to Councils under the Town and Country Planning Act, 1990 as amended, consideration is taken as to whether the individual's rights are affected and whether it is expedient to serve such a Notice or take Action against the individual.

The service provided currently is a reactive one in that we respond to complaints received from members of the public. The resources are not currently available to provide a more proactive service which monitors development and compliance with planning conditions.

Table

	<b>Period 1/10/07 to 31/12/07</b>
Number of Complaints received	116

% where initial site visit within 10 working days	85.17%
Number of complaints resulting in a breach of Planning Control	112
% of breaches where Enforcement Action is taken within 13 weeks	57%
Number of Enforcement Notices served	2
Number of Stop Notices served	0
Number of Breach of Condition Notices served	2
Number of Section 215 Untidy land/building Notices served	4
Number of Temporary Stop Notices served	0
Number of Planning Contravention Notices served	4
Number of Injunctions served	0
Number of Prosecutions made	0
Number of Formal Cautions issued	0
Number of Works in Default actions taken	0
Number of High Hedges Remedial Notices served	0

## **CURRENT STAFFING LEVELS AND WORKING ARRANGEMENTS**

The Enforcement Team currently comprises of a Senior Planning Enforcement Officer, who is employed full time; and a Planning Enforcement Officer, who is employed full time working 4 days a week. Both Officers deal with complaint cases on a Borough – wide basis, in accordance with the Council’s Customer Charter for the Planning Enforcement Service.

## **WORKLOAD/COMPLAINT CASES RECEIVED**

The table above sets out statistical information for the period 1<sup>st</sup> October 2007 to 31st December 2007. During this time a total number of 12 Notices have been served.

Members may be interested to note that during this period we received 116 complaints, the vast majority of cases in this period were resolved without recourse to formal Enforcement Action.

The table above includes reference to 2 performance standards in terms of the speed of the responses to a) site visits and b) cases being closed.

### **FORMAL NOTICES SERVED/ACTIONS TAKEN**

During the period 1st October 2007 to 31st December 2007 the number of cases which have been pursued through formal action remains at a high level.

A comprehensive list of Notices served and Actions taken can be seen at Appendix 1 attached

### **CONCLUSIONS**

The number of planning Enforcement cases remains at a high level and is anticipated that the number of cases will continue to rise.

The majority of cases continue to be resolved without recourse to formal action but the marked increase in formal action being taken continues.

The service is probably at its maximum effectiveness and performance without additional resources.

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**List of Background Papers:-** None

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