



## STRATEGIC PLANNING COMMITTEE

Monday, 06 June 2022

<b>Subject</b>	Enforcement Performance Report – January to March 2022
<b>Report by</b>	Councillor David Ritchie Cabinet Member with responsibility for Planning and Coastal Management
<b>Supporting Officer</b>	Cate Buck Senior Planning & Enforcement Officer <a href="mailto:cate.buck@eastsoffolk.gov.uk">cate.buck@eastsoffolk.gov.uk</a> 01394 444290 Ben Woolnough Planning Manager (Development Management) 01394 444681 <a href="mailto:ben.woolnough@eastsoffolk.gov.uk">ben.woolnough@eastsoffolk.gov.uk</a> Katherine Scott Principal Planner (Technical Lead, Development Management) 01394 444503 <a href="mailto:katherine.scott@eastsoffolk.gov.uk">katherine.scott@eastsoffolk.gov.uk</a>

Is the report Open or Exempt?	OPEN
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Category of Exempt Information and reason why it is <b>NOT</b> in the public interest to disclose the exempt information.	Not applicable
<b>Wards Affected:</b>	All Wards

## Purpose and high-level overview

**Purpose of Report:**

To provide information on the performance of the enforcement section of the Development Management Team. In this Quarter's report information is also included setting out the service improvement activity taking place in the team this year.

**Options:**

Not applicable.

**Recommendation/s:**

That the content of the report be noted.

## Corporate Impact Assessment

**Governance:**

Not applicable

**ESC policies and strategies that directly apply to the proposal:**

East Suffolk Council Enforcement Policy

**Environmental:**

Not applicable

**Equalities and Diversity:**

Not applicable

**Financial:**

Not applicable

**Human Resources:**

Not applicable

**ICT:**

Not applicable

**Legal:**

Not applicable

**Risk:**

Not applicable

<b>External Consultees:</b>	None
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## Strategic Plan Priorities

Select the priorities of the <a href="#">Strategic Plan</a> which are supported by this proposal: (Select only one primary and as many secondary as appropriate)		Primary priority	Secondary priorities
<b>T01</b>	<b>Growing our Economy</b>		
P01	Build the right environment for East Suffolk	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P02	Attract and stimulate inward investment	<input type="checkbox"/>	<input type="checkbox"/>
P03	Maximise and grow the unique selling points of East Suffolk	<input type="checkbox"/>	<input type="checkbox"/>
P04	Business partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P05	Support and deliver infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T02</b>	<b>Enabling our Communities</b>		
P06	Community Partnerships	<input type="checkbox"/>	<input type="checkbox"/>
P07	Taking positive action on what matters most	<input checked="" type="checkbox"/>	<input type="checkbox"/>
P08	Maximising health, well-being and safety in our District	<input type="checkbox"/>	<input type="checkbox"/>
P09	Community Pride	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>T03</b>	<b>Maintaining Financial Sustainability</b>		
P10	Organisational design and streamlining services	<input type="checkbox"/>	<input type="checkbox"/>
P11	Making best use of and investing in our assets	<input type="checkbox"/>	<input type="checkbox"/>
P12	Being commercially astute	<input type="checkbox"/>	<input type="checkbox"/>
P13	Optimising our financial investments and grant opportunities	<input type="checkbox"/>	<input type="checkbox"/>
P14	Review service delivery with partners	<input type="checkbox"/>	<input type="checkbox"/>
<b>T04</b>	<b>Delivering Digital Transformation</b>		
P15	Digital by default	<input type="checkbox"/>	<input type="checkbox"/>
P16	Lean and efficient streamlined services	<input type="checkbox"/>	<input type="checkbox"/>
P17	Effective use of data	<input type="checkbox"/>	<input type="checkbox"/>
P18	Skills and training	<input type="checkbox"/>	<input type="checkbox"/>
P19	District-wide digital infrastructure	<input type="checkbox"/>	<input type="checkbox"/>
<b>T05</b>	<b>Caring for our Environment</b>		
P20	Lead by example	<input type="checkbox"/>	<input checked="" type="checkbox"/>
P21	Minimise waste, reuse materials, increase recycling	<input type="checkbox"/>	<input type="checkbox"/>
P22	Renewable energy	<input type="checkbox"/>	<input type="checkbox"/>
P23	Protection, education and influence	<input type="checkbox"/>	<input type="checkbox"/>
<b>XXX</b>	<b>Governance</b>		
XXX	How ESC governs itself as an authority	<input type="checkbox"/>	<input checked="" type="checkbox"/>
<b>How does this proposal support the priorities selected?</b> To provide information on the performance of the enforcement section			

## Background and Justification for Recommendation

1	Background facts
1.1	Following the adoption of the new Local Enforcement Plan in March 2019 and the formation of the new East Suffolk Council section it was decided that a report be presented on a quarterly basis from August 2019.
1.2	Between January and March, two Enforcement Notices, one S215 Untidy Site Notice and one Listed Building Enforcement Notice were served.
1.3	Since January 2022 a new structure to the Development Management team has been in place. Previously all Enforcement Officers reported directly to the Planning Manager and there was no standalone team identity. In January Katherine Scott took on the responsibility of Principal Planner (Technical Lead) which includes line management of the three Enforcement Officers (two Assistants and one Senior). Along with two other Planners in that team, this has created a third team in the Development Management Team (the other two being the North and South Teams) and an ability to focus on the role that planning enforcement plays in Development Management.
1.4	It has been recognised for a couple of years that the Planning Enforcement service has required some review and improvement. That is no reflection of the three officers responsible for planning enforcement, who work incredibly hard and with great due diligence in their responsibilities. Nor does it reflect the quality of enforcement decision making. But the process and systems they have been operating to have been overdue a review and methods of monitoring and reporting do need to be improved. Furthermore, enforcement complaints remain high and caseloads are very demanding for officers to process. This has been highlighted by Audit previously and it was not until this team had dedicated management in place that the resource and time could be given to this process.
1.5	Therefore, Internal Audit have recently commenced an assessment of the current enforcement systems and records. This is seen as a valuable exercise which will influence an enforcement service improvement action plan which we intend to update on at the September Strategic Planning Committee and which should also be underway at that point. It is anticipated that this will include improvements to recording of cases and their processing, some redistribution of administrative responsibilities to enable efficiencies and focus on case work and some improvement to the reviewing and decision making of enforcement complaints.
1.6	A further necessary improvement to be addressed is the way in which enforcement reports are presented to North and South Planning Committees. Presently the table setting out live enforcement cases is lengthy and difficult to interrogate. We will review the way this is presented including a focus on priority cases and those with more recent updates to them. It will also include greater detail on what any delays are and their causes – much of the time this being outside of the Council's control.

1.7	In terms of delays on enforcement action, recent concerns from members have been focussed on the speed of the legal process in taking enforcement action. We need to be able to explain this clearly and to also show where this is due to court processes or appeal delays. At the September Strategic Planning Committee, we plan to include some guidance in this respect with support from our legal team who are also now much better resourced to provide their important assistance to planning.
1.8	The new format for North and South Planning Committee enforcement update reports will be trialled at the July committee meetings. We will receive feedback from members at that time to further improve the reporting method and we will conclude on that in the September Strategic Planning Committee enforcement performance report.

## 2 Current position

2.1

Cases Received and Closed January to March 2022

Month	Cases Received	Cases Closed
January	18	55
February	26	31
March	50	47

\*Please note all new complaints are logged, site visited and then triaged in accord with the appropriate risk assessment.

2.2

Reasons for Closure

Reason	January	February	March
No Breach	24	10	11
Compliance/use ceased	10	7	12
Planning Permission Granted	16	7	12
Permitted Development	3	1	4
Immune/Lawful	0	0	0
Duplicate file	1	0	1
Withdrawn	0	0	0
Not Expedient	1	6	7

2.3

Time taken to close cases

Time taken to close cases	Cases Closed in January	Cases Closed in February	Cases Closed in March
1-10 days	3	1	4
11-20 days	5	5	3

	<b><u>21-30 days</u></b>	3	2	5
	<b><u>31-40 days</u></b>	0	1	0
	<b><u>41 + Days</u></b>	44	22	35
	<b><u>Total</u></b>	<b>55</b>	<b>31</b>	<b>47</b>
2.4	<b><u>Enforcement Notices Served January to March 2022</u></b>			
	<b><u>Type of Notice</u></b>	<b><u>Address</u></b>	<b><u>Breach</u></b>	<b><u>Compliance period</u></b>
	S215 Notice	28 Brick Kiln Avenue, Beccles	Untidy Site	3 months
	Enforcement Notice – Operational Development	Land West Of Guildhall Lane, Wrentham	Unauthorised development	4 months
	Enforcement Notice –Material change of use	Land West Of Guildhall Lane, Wrentham	Unauthorised change of use	4 months
	Listed Building Enforcement Notice	6 Upper Olland St, Bungay	Unauthorised works to a Listed Building	3 months

### 3 How to address current situation

3.1 Quarterly monitoring

### 4 Reason/s for recommendation

4.1 That the report concerning Enforcement Team statistics be received

## Appendices

### Appendices:

None

### Background reference papers:

None