



Development Control Committee	Thursday, 20 May 2021	Matter for Information
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Report Title: **Planning Enforcement Activity Report (2020/2021)**

Report Author(s): **Richard Redford (Development Control Manager)**

Purpose of Report:	To provide a yearly summary of the Council's planning enforcement activity as the Local Planning Authority (LPA) for 2020/21.
Report Summary:	During the period 1 April 2020 until 31 March 2021, the enforcement activity that has taken place is as follows 181 new cases were registered. 11 formal notices were served comprising a mixture of Enforcement Notices and Section 215 Notices. Of the Enforcement Notices served, none were appealed.
Recommendation(s):	That the content of the report be noted.
Senior Leadership, Head of Service, Manager, Officer and Other Contact(s):	<p>Adrian Thorpe (Head of Built Environment) (0116) 257 2645 adrian.thorpe@oadby-wigston.gov.uk</p> <p>Richard Redford (Development Control Manager) (0116) 257 2654 richard.redford@oadby-wigston.gov.uk</p> <p>Chris Glover (Planning Enforcement Officer) (0116) 257 2733 chris.glover@oadby-wigston.gov.uk</p>
Corporate Objectives:	<p>Building, Protecting and Empowering Communities (CO1)</p> <p>Growing the Borough Economically (CO2)</p> <p>Providing Excellent Services (CO3)</p>
Vision and Values:	<p>"A Stronger Borough Together" (Vision)</p> <p>Accountability (V1)</p> <p>Respect (V2)</p> <p>Teamwork (V3)</p> <p>Customer Focus (V5)</p>
Report Implications:-	
Legal:	There are no implications directly arising from this report.
Financial:	There are no implications directly arising from this report.
Corporate Risk Management:	<p>Decreasing Financial Resources / Increasing Financial Pressures (CR1)</p> <p>Regulatory Governance (CR6)</p> <p>Economy / Regeneration (CR9)</p>
Equalities and Equalities Assessment (EA):	There are no implications directly arising from this report. EA not applicable.
Human Rights:	There are no implications directly arising from this report.

Health and Safety:	There are no implications directly arising from this report.
Statutory Officers' Comments:-	
Head of Paid Service:	The report is satisfactory.
Chief Finance Officer:	The report is satisfactory.
Monitoring Officer:	The report is satisfactory.
Consultees:	None.
Background Papers:	None.
Appendices:	None.

1. Background

- 1.1 At the meeting of the Development Control Committee on 27 August 2020, Members noted the report of the Planning Enforcement Officer relating to levels of enforcement activity and that a yearly up-date on enforcement activity would be reported to the Development Control Committee.
- 1.2 As Members are aware, the Council as Local Planning Authority (LPA) is monitored on its performance in the determination of planning submissions on a quarterly-basis with the expectation that the Council exceeds targets set by Central Government.

2. Information

- 2.1 During the period 1 April 2020 until 31 March 2021, the enforcement activity that has taken place is as follows:
 - Number of new cases registered in the period: 181
 - Number of cases closed in the period: 94
 - Number of cases currently logged: 449
- 2.2 A total of 83 active enforcement cases from the period 1st April 2019 to 31 March 2020 were carried into the period 1st April 2020 until 31st March 2021.
- 2.3 In respect of the number of cases currently logged, although the number is relatively high, this is due in part to not all current cases being worked on as some are being monitored while corresponding planning applications are dealt with. In addition, a recent audit of our enforcement database highlighted a number of cases 'pending consideration' dating back to 2004. There is work in progress to bring the database up to date, as many of these cases will have already been resolved.
- 2.4 During the period 1 April 2020 to 31 March 2021, an overall total of 11 formal notices were served comprising a mixture of Enforcement Notices and Section 215 Notices. Of the Enforcement Notices served, none were appealed.
- 2.5 The number of outstanding enforcement cases has marginally increased from last year by a total of 3 due to a combination of the number of complaints received, the nature of the breaches being investigated, the number of instances of working alongside other Council departments where breaches relate to 2 or more service areas, and on-going dialogue

involving Officers to find appropriate resolutions to breaches without the need for formal action to be taken.

- 2.6 Action taken by the Planning Enforcement Officer during this period has also led to 18 retrospective planning applications being received to regularise breaches of control.
- 2.7 No formal complaints were registered against enforcement based issues.
- 2.8 In respect of the corporate risks identified, these relate to where formal action is taken on which the person(s) who are served with notices have a right of appeal. Where this right of appeal is acted upon, there would be the potential for an award of costs against the Council. This is mitigated against, as far as practicable, by continuing to work in a professional manner alongside Legal Officers to minimise the potential for awards against the Council.