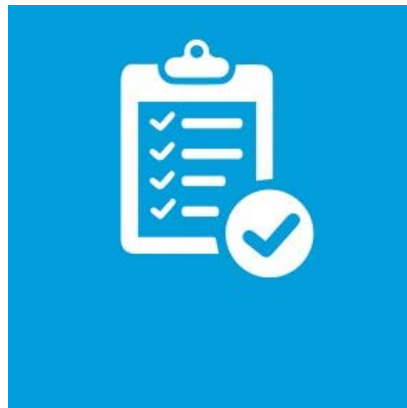




Work Plan Study

“Planning Enforcement”



Report by the Scrutiny Task and Finish Group

August 2017 – November 2017

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Minutes of Meetings:

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Web links / Background Documents

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[Lancaster City Council Local Enforcement Charter](#)

[2010 Work Plan Study – Corporate Enforcement](#)

[National Planning Practice Guidance](#)

[Corporate Enforcement Group](#)

Chair's Foreword and Acknowledgements

The study into Planning Enforcement came about as a result of concerns of a number of members of the Council. Many members of the public think that if there is a planning breach, the Council should take immediate action to stop the breach. The reality is more complicated.

Put simply, if there is no planning permission it should be applied for, if the breach is minor it may not make sense to take action and when action is taken the process can be very longwinded as there are many points in the appeal process where delays can take place.

We are asking the Cabinet to set up three yearly reviews of the process starting in 2018 and we would like to see clearer literature made available explaining the system to the public. We would also like to see a workshop for members on the enforcement process.

I would like to thank my colleagues for their work over recent months and council officers for their advice and assistance in producing the report. A big thank you to those members who submitted evidence. Alison Kershaw, Deputy Director of Development, Councillor Peter Moss, Cabinet member for Planning and Mark Cassidy the Planning Manager at Lancaster City Council all gave evidence and answered questions - I thank them all.

Councillor David Borrow

Chair

The members who contributed to this study were:

Councillor Borrow (Chair)

Councillor Seddon (Vice-Chair)

Councillor Mrs Brown

Councillor Crowe

Councillor Hull

Councillor Mrs McManus

Councillor Pomfret

Councillor Swindells

Councillor Woollam

Recommendations to Cabinet

That Cabinet be recommended to approve / agree to the following actions:

- 1) That the Council's Local Enforcement Plan (last reviewed in 2015), be reviewed in 2018 and that it be reviewed on a three yearly basis thereafter;
- 2) That the review of the Plan address the suitability of the language used, making it clear and accessible to a wider audience;
- 3) That a public information leaflet be produced in electronic format, outlining the planning enforcement process in a clear and accessible way;
- 4) That the effectiveness of the NW Preston Liaison Officer post be reviewed prior to the termination of the current fixed term contract in order to inform future decisions about staffing and service provision;
- 5) To consider (in consultation with Corporate Management Team) implementing a procedure for the reporting of performance information regarding planning enforcement service complaints to the Cabinet Member for Planning and Regulation;
- 6) That Planning Enforcement training for all elected members be arranged to provide information / clarification on the planning enforcement process; and
- 7) That the responses and proposed actions listed in Appendix C to this report, be endorsed.

1.1. **Background / Aims of this study**

The topic for this study was proposed at the Priority Setting workshop on 16 May 2017. It was subsequently approved by the Overview and Scrutiny Management Committee as part of the Overview & Scrutiny Annual Plan 2017/18.

1.2 **Scope of the Study**

A draft scoping document for this study was considered and approved by the Task and Finish Group on 17 August 2017 (see Appendix A). The scope included the following background documents:

- Local Enforcement Plan
- National Planning Practice Guidance
- Planning Enforcement updates to Planning Committee
- Planning Enforcement performance information
- Previous O&S Committee work plan study on regulatory enforcement
- Lancaster City Council Planning Enforcement Charter

...and identified the following people to hear evidence from:

- Councillor Moss, Cabinet Member for Planning and Regulation
- Alison Kershaw, Deputy Director of Development
- Mark Cassidy, Planning Manager, Lancaster City Council
- Members of Preston City Council*

(*Added to the scoping document after a review part of the way through the study).

1.3 The scoping document also stressed the importance of identifying a clear focus for the study, i.e. is it simply to analyse current practice and identify potential areas for improvement in how the service is operated? Does it include a review of the planning enforcement charter? The Task and Finish Group would need to be mindful of these issues as it gathered evidence.

1.4 **Methodology**

The Task and Finish Group held two formal meetings in August and October 2017 to gather evidence for the study.

At its formal first meeting, held on 17 August 2017, the Group received a detailed outline of the Planning Enforcement process, together with a number of relevant background documents including the current PCC Local Enforcement Plan, National Planning Guidance, and a previous work plan study on Regulatory Enforcement carried out in 2010.

Members identified the Local Enforcement Plan as a key focus for the study and felt it would be beneficial to examine an equivalent document from a neighbouring local authority.

A sub group interview was therefore held on 4 October 2017 with the Planning Manager from Lancaster City Council with regard to its Planning Enforcement Charter (see notes at Appendix B).

At the formal second meeting, held on 18 October 2017, an interview was held with the Cabinet Member for Planning and Regulation.

Following a review of the scope of the study on 18 October 2017, Members of Council were invited to submit their comments and suggestions to assist the Group with its review of the Local Enforcement Plan.

The Task and Finish Group then held a final meeting on 15 November 2017 to consider all its findings and agree its recommendations.

2.0 **Key Information - Presentation by PCC Officers**

Meeting on 17 August 2017

Ms Alison Kershaw, Deputy Director of Development gave a presentation on Planning Enforcement. The presentation explained the definition of a breach of planning control, the main types of breach of planning control, and what does and not constitute an offence potentially leading to a prosecution.

Ms Kershaw outlined the process for dealing with a development without planning permission. Members of the Task and Finish Group wished to clarify the position regarding retrospective planning permission i.e. under what circumstances enforcement action may be taken. Ms Kershaw explained that planning enforcement powers are discretionary and, in accordance with the National Planning Practice Guidance, action is taken when it is expedient to do so. The test of expediency varies from case to case and if there is no

material harm or adverse impact on the amenity of the site or the surrounding area, usually no formal action is taken. The Authority takes an early engagement approach, attempting to resolve the matter informally where possible. Ms Kershaw stressed that there are always at least two officers involved in deciding what is expedient, and officer resources are not a consideration.

A member of the Group enquired as to whether enforcement information could be made publicly available. Ms Kershaw indicated that enforcement files usually contain confidential and personal information. She indicated that it may be possible to redact any confidential elements if requests for enforcement information are made. A query was made regarding the Enforcement Register. It was explained this is a statutory requirement and only included details of formal notices served.

The Task and Finish Group discussed the issue of caseload. Ms Kershaw indicated that there were currently approximately 260 new enforcement cases per annum, which has decreased by around 100 cases from 4-5 years ago.

The second part of the presentation consisted of two fictitious case studies of a planning control breach, one involving an unauthorised house extension and one unauthorised erection of a boundary treatment. The information presented a comprehensive outline of the process to illustrate the potential timescales involved. In the second case study, the timeline from the initial complaint being received, determination of the application, appeal to the Inspector, subsequent appeal against the Enforcement Notice and eventual prosecution, showed that the process could take up to 18 months.

Ms Kershaw indicated that planning officers could invite a property owner in breach of planning control to submit a retrospective application, but could not compel them to do so. A discussion ensued regarding the 'immunity from enforcement action' rule regarding the existence of an unauthorised development for a number of years. Ms Kershaw clarified that it was four years for a built development or change of use to residential and ten years for other changes of use and breaches of planning conditions.

3.0 Sub Group Interview – 4 October 2017

Mark Cassidy, Planning Manager from Lancaster City Council gave evidence of the way they had reviewed and updated their Planning Enforcement Charter in January 2017.

The key points from the discussion were:

- Their priorities have been reduced from 9 to 4.
- A 60 day enforcement target had been set.
- Internal processes had improved but there could be resource implications.

4.0 **Meeting held on 18 October 2007**

Councillor Moss, Cabinet Member for Planning and Regulation attended the meeting for interview.

Councillor Moss referred to the recent Sub Group interview with Mark Cassidy, Planning Manager at Lancaster City Council at which members discussed Lancaster's Planning Enforcement Charter, which had been reviewed in January 2017. He indicated that arising from those discussions the Task and Finish Group may wish to consider revising the PCC Enforcement Plan to make it more accessible to members of the public, by using less technical language.

The Chair also referred to the sub-group meeting and suggested that the Task and Finish Group may wish to review PCC enforcement performance criteria. Councillor Moss indicated that the Planning Service had been reviewed two years ago and subsequently the Council had made appropriate amendments to its policy and procedures.

Councillor Moss referred to the issue of resources and to an indication by the government to grant planning authorities the ability to increase planning fees by 20%, which would be a welcome additional resource.

The Chair asked Councillor Moss to comment on the appropriateness of current planning enforcement targets. Councillor Moss indicated that he was comfortable with the priorities identified in the Enforcement Plan and felt the targets were reasonable. He also said that the list of priorities set out in both Preston and Lancaster's Enforcement Charter were similar.

Councillor Seddon referred to a scrutiny work plan study carried in 2010 on Corporate Enforcement which suggested setting up a Corporate Enforcement Group. The Deputy Director of Development confirmed that the Group was set up and still exists, details of which would be circulated to the Task and Finish Group following the meeting.

Some members of the Task and Finish Group expressed the view that the current approach to some areas of enforcement may be perceived as encouraging more instances of a breach in planning control. One case, for example, involved an application which had been ongoing for twelve years.

Councillor Moss stated that efficiency was key and that is why the principle of expediency was important to allow a greater level of flexibility to prioritise on enforcement cases.

The Chair reminded the Task and Finish Group that a report on planning enforcement was submitted to the Planning Committee twice a year, which included updates in relation to ongoing cases.

The Chair thanked Councillor Moss for his attendance and invited him to submit any additional comments he may have further to the interview in writing.

5.0 Meeting 15 November 2017

5.1 Invitation to PCC Councillors for Views and Suggestions

In order to enhance the amount of evidence obtained for this work plan study, the Task and Finish Group invited all 57 councillors to submit their views and suggestions on planning enforcement, which the Task and Finish Group would consider in relation to its review of the Local Enforcement Plan.

Seven responses were received from councillors expressing their views and suggestions, citing some examples of cases where residents have raised a concern. Whilst it is not appropriate for the Task and Finish Group to comment on individual cases, a summary of the key issues raised is as follows:-

- There should be feedback for ward councillors who report enforcement issues
- Expediency – needs clarification; It is open to interpretation / it results in inconsistency
- The Planning Department should take action against all who ignore the planning process.
- There is a perception that the Council should be doing more and stopping any unauthorised development immediately
- Complainants should be kept informed of progress
- Ward councillors should be kept informed and copied in at every stage
- It should be clear that not having planning permission before carrying out development is not a risk worth taking
- The Council appears reluctant to enforce conditions attached to planning permissions and developers are aware of this.
- Conditions should only be attached where it is believed that they have to be complied with.
- What measures are in place to ensure that conditions are adhered to?
- There should be greater attention on the small number of significant breaches

- Customer confidence in and the perception of the service needs to be improved
- People submit retrospective applications and this causes delays
- Is the Council robust enough in taking action against people who fell trees without consent?
- The Enforcement Plan should be reviewed
- The enforcement reports to Planning Committee do not provide an accurate picture and could be misleading. More information should be provided including an indication of the scale of serious cases
- Will information about formal complaints (including those to the Ombudsman) be provided to the Group?
- There is a perception by members and members of the public that some breaches are committed by people who 'play the system'. There are people who constantly breach planning law and they are difficult to manage
- Can the priorities in the Enforcement Plan be reviewed?
- Are other remedies such as compulsory purchase considered?
- Breaches of planning control should be reported online if possible as it is quicker and easier. Some improvements to the website may assist with this
- There are no issues with the Enforcement Plan itself but there needs to be a way of making people more aware of what enforcement actually means – many breaches are dealt with by negotiation

The Deputy Director of Development provided responses to each of the comments received, together with proposed actions, which were considered by the Task and Finish Group. The details are attached at Appendix C.

5.2 The Chair stressed that one of the privileges of being an elected councillor is that they are able to speak to the officer directly regarding an enforcement matter, put their concerns in writing or otherwise make representations as appropriate, which the officer can then take into consideration as part of reaching their decision, without compromising his or her impartiality. He suggested that this approach is a sensible and practicable one and preferable to creating an excessively rigid approach.

The Deputy Director of Development emphasised the existing arrangements as regards ward councillor involvement in enforcement matters, i.e. that case officers are happy to answer questions, provide feedback and share information where possible.

In response to a query raised about the possibility of providing information on individual cases to all ward councillors as a matter of

course, she explained that there were a number of issues, such as impracticality (possibly sending out up to four sets of papers in some wards); confidentiality (if the complainant had not requested the information be shared); and also that it would be problematic if a person accused of the breach by the complainant wanted representation by a ward councillor. The Chair added that there may be a danger that involving a ward councillor, if not initially requested by the complainant, may cause a dispute to escalate where it could otherwise be resolved fairly quickly by negotiation.

The current position with regard to officer delegation was raised as a possible issue. The Chair strongly advised that the current arrangements in this regard be retained, as the practice of involving ward councillors in the decision making process had proved very problematic in other local authorities.

The Task and Finish Group all agreed that members of the public would benefit from greater information, clarification and education about the planning enforcement process.

6.0 Review of Local Enforcement Plan

The Task and Finish Group examined all its evidence and, to assist in reaching its conclusions, utilised the following key questions. The Task and Finish Group's responses, listed below, provided the focus for reaching its recommendations.

- 1) Are the priorities listed in the Plan appropriate?

Yes. There has been no evidence during the course of the study that the priorities should be reviewed.

- 2) Is the language used in the Plan suitable for the audience?

No. PCC's Local Enforcement Plan is more suited to planning officers rather than members of the public. There is a need for the enforcement process to be explained in a clear and more accessible way. The Task and Finish Group were impressed by Lancaster City Council's Enforcement Charter, which had been reviewed in January 2017.

- 3) How often should the Plan be reviewed?

The Task and Finish Group's view is that the Local Enforcement Plan, which was last reviewed in 2015, be reviewed again in 2018, and on a

three year basis thereafter to ensure that the document remains relevant and up to date.

- 4) How can customers' expectations of the planning enforcement service be managed? (e.g. by producing a simpler, more accessible summary of the process such as an in a leaflet format)

The Task and Finish Group all agreed that members of the public would benefit from greater information, clarification and education about the planning enforcement process. With reference to the accessible language issues identified in Response (2), the Group would recommend that a public information leaflet be created, outlining the process in suitable language and produced in electronic format in order that it can be uploaded to the website.

- 5) Can the effectiveness of the recently appointed NW Preston Liaison Officer's post be measured in respect of enforcement at an appropriate time?

The effectiveness of the post should be reviewed prior to the termination of the current two year fixed term contract in order to inform future staffing and service provision decisions.

- 6) Can the Cabinet Member for Planning and Regulation review the number of complaints about the Planning Enforcement service (last 3 years and on an ongoing basis?)

It would be useful for this monitoring information to be provided to the Cabinet Member. It is recommended that Cabinet (in consultation with CMT) consider implementing this procedure.

- 7) How can the Plan be improved to explain and provide greater clarity as to decisions relating to enforcement? (E.g. flow chart as per Lancaster City Council's Planning Enforcement Charter?)

Please see responses 2) and 4). In addition, the Task and Finish Group were impressed by Lancaster City Council's Enforcement Charter, which included a flow chart diagram outlining the authority's Expediency Test.

- 6.1 Finally, in response to some of the issues raised in discussions throughout the study, and in particular the comments received in the responses by councillors, the Chair proposed that a Planning

Enforcement training for all elected members be arranged to provide information / clarification on the planning enforcement process.

7.0 **Corporate Management Team Commentary**

This is a very thorough piece of work which has sought the views of all Members, interviewed officers, including one from another Lancashire authority and examined potential improvements to the Local Enforcement Plan. Management Team accept the recommendations in the report and will ensure that an action plan is drawn up to implement them.

Planning Enforcement - Scoping Document (updated 17.8.17)

Key background information

- Local Enforcement Plan
- National Planning Practice Guidance
- Planning Enforcement updates to Planning Committee
- Planning Enforcement performance information
- Previous O& S committee work plan study on regulatory enforcement
- Lancaster City Council Planning Enforcement Charter

Key people to hear from

- Councillor Moss, Cabinet Member for Planning and Regulation
- Alison Kershaw, Deputy Director of Development
- Mark Cassidy, Planning Manager, Lancaster City Council
- Members of Preston City Council

External Visit

None

Lead Officer

Alison Kershaw

Panel size

9 (5, 3, 1)

Time estimate

3 meetings

Resources

Member Services officer time and planning officer participants

Target Audience

Cabinet

Director of Development and Corporate Management Team

Management Team comment

The purpose of the study needs to be made clear from the start. Is it simply to analyse current practice and identify potential areas for improvement in how the service is operated? Does it include a review of the planning enforcement charter? The previous study looked at several case studies and this may be something worth considering again.

Planning Enforcement Sub Group

4 October 2017

Attendance:-

Councillors:

Borrow (Chair)

Seddon (Vice Chair)

Mrs Brown

Crowe

Mrs McManus

Pomfret

Swindells

Woollam

Apologies: Councillor Hull

Alison Kershaw, Deputy Director of Development, PCC

Mr Mark Cassidy – Lancaster City Council

Mark Cassidy from Lancaster City Council gave evidence of the way they had reviewed and updated their 2011 Enforcement Charter in January 2017.

The key points from the discussion were:

- Their priorities have been reduced from 9 to 4.
- A 60 day enforcement target had been set.
- Internal processes had improved but there could be resource implications.

Councillor D Borrow

Chair, Planning Enforcement Task and Finish Group

Planning Enforcement Task and Finish Group

Summary of Member views and comments

	Member Comment	Response and Proposed Action (actions are highlighted by <u>bold and underline</u>)
1	There should be feedback for ward councillors who report enforcement issues	<p>The Council seeks to keep councillors who have reported enforcement cases updated on progress.</p> <p><u>Proposed action: reinforce the need to keep members who have reported alleged breaches updated</u></p>
2	<p>Expediency:</p> <ul style="list-style-type: none"> • What does it mean? <ul style="list-style-type: none"> • It is open to interpretation • It results in inconsistency 	<ul style="list-style-type: none"> • The definition of expedient from the Collins Dictionary is: <i>“suitable to the circumstances; appropriate”</i> • The Local Enforcement Plan currently says that expedient is <i>“whether the action proposed to be taken is appropriate and commensurate with any alleged harm that has been or is being caused.”</i> This can be retained in any revised version of the plan. • The application of the expediency test is a matter of judgement and the National Planning Practice Guidance (NPPG) advises that expediency varies from case to case. • Inconsistencies may be perceived rather than actual. Consistency is achieved through the management of enforcement cases and making decisions in line with the process set out in the Local Enforcement Plan (section 8). <p>No action required</p>
3	The Planning Department should take action against all who ignore the planning process.	<ul style="list-style-type: none"> • The NPPG advises that Local Planning Authorities should usually avoid taking enforcement action where:

	<p>There is a perception that the Council should be doing more and stopping any unauthorised development immediately</p>	<ul style="list-style-type: none"> • There is a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area; • Development is acceptable on its planning merits and enforcement action would solely be to regularise the development; • The LPA considers that an application is the appropriate way to regularise the situation. <ul style="list-style-type: none"> • Therefore LPAs should not take action against <u>all</u> who ignore the planning process. This is already set out in the Local Enforcement Plan and can be retained in any revised version of the plan. • The vast majority of breaches are resolved by discussion and negotiation. • It appears that there may be a perception that the LPA's powers in respect of planning enforcement are stronger than they actually are. Temporary Stop Notices (TSNs) are the tool available to an LPA to require development to stop immediately. In order to issue a TSN the LPA must be satisfied that <i>"it is expedient that the activity which amounts to the breach is stopped immediately."</i> (S171E(1)(b) of the Town and Country Planning Act 1990). Compensation may be payable by the LPA for any loss or damage directly attributable to the prohibition effected by a TSN. Their use must therefore be carefully considered. <p><u>Proposed action: consider including an explanation about the possible use of Temporary Stop Notices in any revised Local Enforcement Plan</u></p>
4	<p>Complainants should be kept informed of progress</p>	<ul style="list-style-type: none"> • As with point 1 above, the Council seeks to keep complainants informed of progress. • Managing complainants' expectations about the timescales involved may help.

		<u>Proposed action: consider changes to the online reporting form to include information about the timescales for an acknowledgement and initial response, whilst recognising that the length of time taken to resolve enforcement cases varies significantly</u>
5	Ward councillors should be kept informed and copied in at every stage	Ward councillors who have reported an alleged breach on behalf of a member of the public will be kept informed (as per point 1 above). No action required (above that set out in response to point 1)
6	It should be clear that not having planning permission before carrying out development is not a risk worth taking	The Local Enforcement Plan currently states that “..... <i>the City Council is not condoning unauthorised development or implying that action will not be taken against other breaches of planning control.</i> ” This can be retained in any revised version of the plan. No action required
7	<p>Conditions:</p> <ul style="list-style-type: none"> • The Council appears reluctant to enforce conditions attached to planning permissions and developers are aware of this. • Conditions should only be attached where it is believed that they have to be complied with. • What measures are in place to ensure that conditions are adhered to? 	<ul style="list-style-type: none"> • The Council is not reluctant to enforce against breaches of conditions. As stated above, many breaches of planning control are resolved through discussion and negotiation which means a formal notice is not necessary. • Noted. • It is developers’ responsibility to comply with conditions attached to planning permissions. Alleged breaches of condition are investigated in accordance with the priorities set out in the Local Enforcement Plan. • For developments within the North West Preston strategic location, the Council has a dedicated officer who is responsible for liaising with communities and developers, including on alleged breaches of conditions. The post is temporary and it may therefore be useful to evaluate its effectiveness to inform any future resource decisions.

		<u>Proposed action: evaluate effectiveness of NW Preston Liaison Officer post</u>
8	There should be greater attention on the small number of significant breaches	This already takes place. No action required
9	Customer confidence in and the perception of the service needs to be improved	This involves, to a large extent, managing expectations. See comments in respect of point 3 above.
10	People submit retrospective applications and this causes delays	<ul style="list-style-type: none"> • Retrospective applications can be submitted. • Retrospective applications are highlighted as one of the options available to tackle possible breaches of planning control in the National Planning Practice Guidance No action required
11	Is the Council robust enough in taking action against people who fell trees without consent?	The Council considers expediency/public interest in reaching a decision about action relating to the unauthorised felling of trees. No action required
12	The Enforcement Plan should be reviewed	Noted <u>Proposed action: review the Local Enforcement Plan</u>
13	The enforcement reports to Planning Committee do not provide an accurate picture and could be misleading. More information should be provided including an indication of the scale of serious cases.	The enforcement reports to Planning Committee provide details of those enforcement cases which are the subject of formal notices as these are in the public domain. It also includes information on the number of cases that have been closed over the relevant period and the reasons for closure. The information contained in the report is explained and it is not therefore considered to be misleading. The most serious cases, ie. those that have warranted the service of a formal notice, are detailed in an appendix to the report. No action required

14	Will information about formal complaints (including those to the Ombudsman) be provided to the Group?	<p>Noted</p> <p><u>Proposed action: establish what complaint information is reported to Cabinet Members</u></p>										
15	There is a perception by members and members of the public that some breaches are committed by people who 'play the system'. There are people who constantly breach planning law and they are difficult to manage	<p>This comment is speculative. The issue is about confidence in planning enforcement and this has been addressed in other responses.</p> <p>No action required</p>										
16	Can the priorities in the Enforcement Plan be reviewed?	<p>The Group has considered the priorities and no changes have been suggested.</p> <p>No action required</p>										
17	Are other remedies such as compulsory purchase considered?	<p>Yes, if they are considered to be appropriate.</p> <p>No action required</p>										
18	Enforcement performance is below target	<p>The most up to date performance figures for the year to date are as follows:</p> <table border="1" data-bbox="1149 885 2047 1193"> <thead> <tr> <th data-bbox="1149 885 1435 954">Indicator name</th> <th data-bbox="1435 885 1585 954">2017/18 target</th> <th data-bbox="1585 885 1736 954">Quarter 1</th> <th data-bbox="1736 885 1886 954">Quarter 2</th> <th data-bbox="1886 885 2047 954">Year to date</th> </tr> </thead> <tbody> <tr> <td data-bbox="1149 954 1435 1193">DEV1 The % of first phase of enforcement investigations completed within 13 weeks</td> <td data-bbox="1435 954 1585 1193">80%</td> <td data-bbox="1585 954 1736 1193">65%</td> <td data-bbox="1736 954 1886 1193">93%</td> <td data-bbox="1886 954 2047 1193">81%</td> </tr> </tbody> </table> <p>No action required</p>	Indicator name	2017/18 target	Quarter 1	Quarter 2	Year to date	DEV1 The % of first phase of enforcement investigations completed within 13 weeks	80%	65%	93%	81%
Indicator name	2017/18 target	Quarter 1	Quarter 2	Year to date								
DEV1 The % of first phase of enforcement investigations completed within 13 weeks	80%	65%	93%	81%								
19	<p>Breaches of planning control should be reported online if possible as it is quicker and easier. Some improvements to the website may assist with this:</p> <ul style="list-style-type: none"> • There is a broken link on the planning enforcement form 	<ul style="list-style-type: none"> • Noted 										

	<ul style="list-style-type: none"> Can the form include advice about acknowledgement and/or an initial response 	<p><u>Proposed action: fix or remove broken link</u></p> <ul style="list-style-type: none"> Noted. See response to point 4 above <p><u>Proposed action: Consider changes to the online reporting form to include information about the timescales for an acknowledgement and initial response, whilst recognising that the length of time taken to resolve enforcement cases varies significantly</u></p>
20	The Group could have looked at a couple of cases to consider what lessons could be learned	<p>The group did not look at actual cases due to their confidential and often sensitive nature. Fictitious case studies were used to demonstrate the key issues and length of time involved in enforcement investigations.</p> <p>No action required</p>
21	The vast majority of breaches are minor and officers do their utmost in difficult circumstances	<p>Noted</p> <p>No action required</p>
22	There are no issues with the Enforcement Plan itself but there needs to be a way of making people more aware of what enforcement actually means – many breaches are dealt with by negotiation	<p>Noted</p> <p><u>Proposed action: consider whether any more information can be included in the Local Enforcement Plan to make this clearer</u></p>

Response by Cabinet

Minute CA68 – 13.12.17

Summary

Councillor Borrow, the Chair of the Planning Enforcement Task and Finish Group, presented the Work Plan Study report of the Group. Cabinet acknowledged the work of the Task and Finish Group Members in particular the Chair and the officers involved. The Task and Finish Group was commended for the focused, reasonable and achievable recommendations.

Decision Taken

That Cabinet endorsed the recommendations of the Planning Enforcement Task and Finish Group and agreed for an Action Plan to be drawn up to implement the recommendations.