

**To:** East Area Planning Committee &  
West Area Planning Committee

**Dates:** 29<sup>th</sup> May 2012 – East Area Planning Committee

**Report of:** Head of City Development

**Title of Report:** Planning Enforcement – Performance Update

## 1. Summary

This report seeks to provide the East and West Area Planning Committees with an update on the performance and progress of the planning enforcement service for 2011/12.

In summary, the adjustments and streamlining of the planning enforcement service following the service reviews carried out by the Scrutiny Committee and the Business Process Improvement (BPI) project have assisted in reducing further the number of outstanding enforcement investigation cases, especially so in relation to cases which are older than 12 months. The total number of active enforcement investigation cases has overall reduced from 815 in Dec '09 to 199 on 31<sup>st</sup> March 2012. Older active cases (classed as being over 12 months old) are now down to under 50 from almost 300 just over a year ago.

656 service requests were received to investigate alleged breaches of planning control in 2011/12 and 797 cases were dealt with and closed in the same period.

Regarding the source of investigations, members of the public have accounted for 56%, with council officers giving rise to 26% of the new cases. MP's and Councillors accounted for 11%.

Lastly, in terms of the outcomes of our investigations, in 45% of cases there was either no breach of planning control, or the development was permitted or lawful. 19% of the cases received retrospective planning permission. In 17% of the cases the developers removed the breach voluntarily following discussion with the enforcement officers. 16% of the cases were deemed not expedient to enforce. In 2% of the cases the issue was resolved following formal enforcement action and eventual compliance.

In addition the service has continued to keep informed all its customers that submit service requests for investigation as to their case progress and outcome.

## 2: Enforcement Performance

### 2.1: Active Investigations

Chart 1 shows a continued reduction in active enforcement investigations from 360 (March '11) down to only 199 (March '12). The April '12 figure excludes cases that have progressed to Enforcement. The Business Process Improvement (BPI) project has led to a re-assessment of older cases and improved procedures for new investigations.

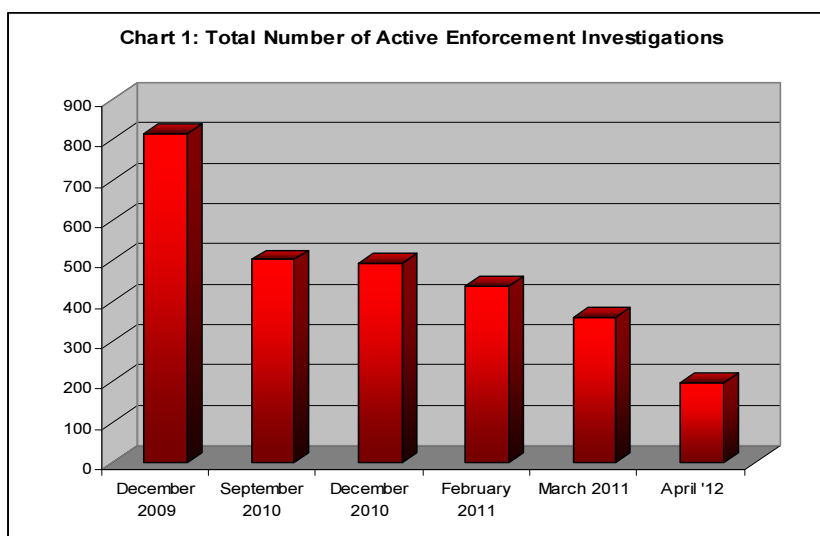
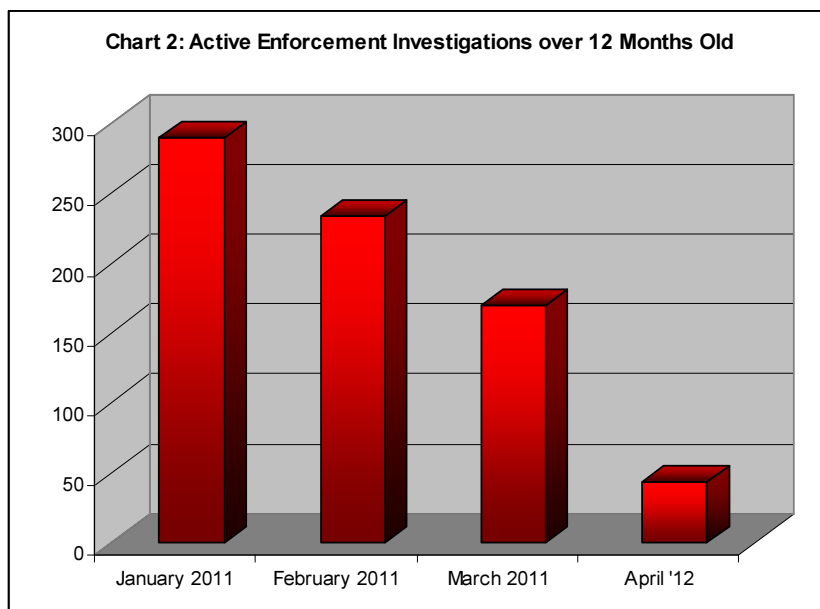


Chart 2 indicates further progress in tackling open older cases. The April '12 figure of 43 shows the number of cases currently 'open' that were received prior to March 31<sup>st</sup> 2011. The April '12 figure excludes cases which have progressed to Enforcement. This represents a substantial reduction in older cases that would otherwise prevent the enforcement team from providing a responsive service and being able to address the most harmful breaches of planning control swiftly



## 2.2: Performance – April 2011- March 2012

Chart 3 below shows that the enforcement team opened 656 new investigations in the last year, while 797 were closed.

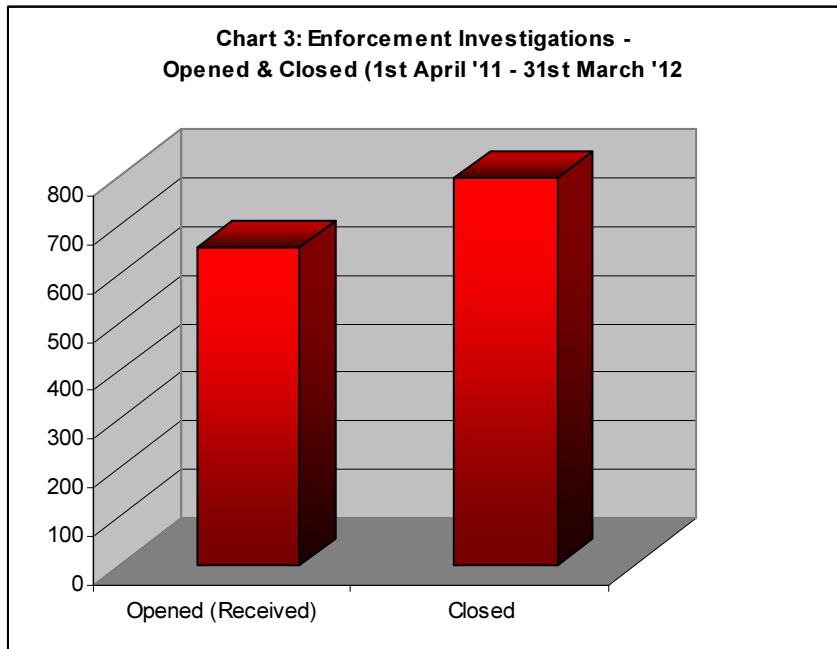
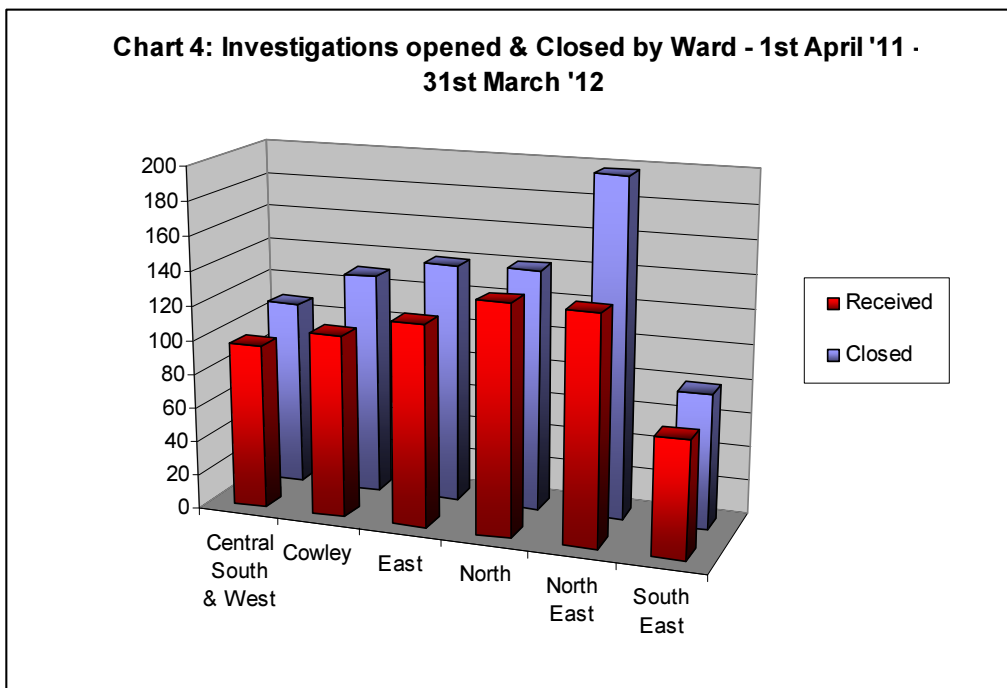
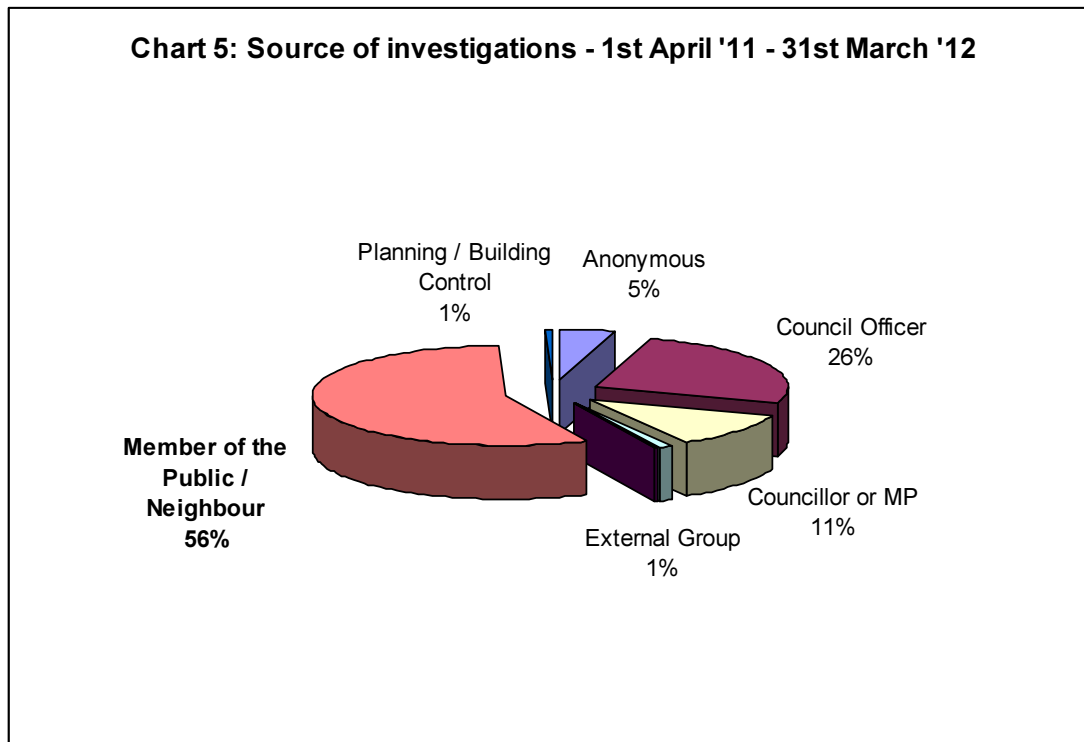


Chart 4 below indicates the geographical spread of received and closed cases during the year. Proportionately more cases were received and dealt with in the north and north east areas of the city.



### 2.3 Source of Investigations.

Chart 5 (below) shows that members of the public (eg. neighbours etc.) still represent the main source (56%) of enquiries leading to enforcement investigations. Council officers were the second largest group (26%), with Councillors/MPs third (11%).



### 2.4: Investigation Outcomes

In chart 6 it can be seen that of the cases closed in the period 45% (354 cases) related to matters where either no breach of planning control had taken place, the development was permitted development or was deemed to be lawful development.

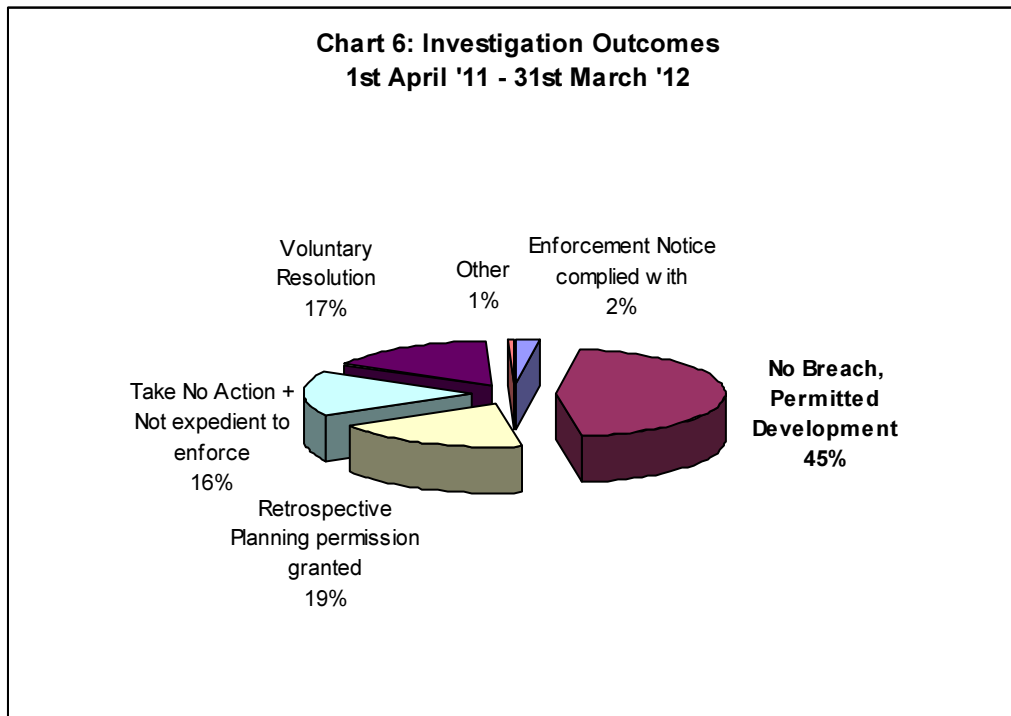
16% (128 cases) were deemed not expedient to enforce. In most instances this was because either the development was considered to be very minor without material harm, or because the matter would have been recommended for approval had a planning application been submitted.

17% (129 cases) were resolved by voluntary action by the developers following discussion with officers, removing the breach of planning control.

In 19% (148 cases) retrospective planning permission was granted.

2% (17 cases) were resolved following the serving of enforcement notices and subsequent compliance.

Other outcomes include compliance with planning conditions, the submission of amended plans or the result of appeals.



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17<sup>th</sup> May 2012

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