

HAMBLETON DISTRICT COUNCIL

Report To: Cabinet
11 September 2012

Subject: ENFORCEMENT SERVICE REVIEW

**All Wards
Scrutiny Committees
Portfolio Holder for Housing and Planning: Councillor Mark Robson**

1.0 PURPOSE:

1.1 To review the resources available to the Enforcement Service to ensure that the Service is able to operate effectively.

2.0 BACKGROUND:

2.1 The Enforcement Team sits within the shared Development Management Service which will be repatriated before the end of September.

2.2 Under the shared service a team of 3.38 ftes work on enforcement across both Districts, this consists of an 0.88 fte Planning Enforcement Manager and 2.5 fte Enforcement Officers. On repatriation, the Hambleton team will comprise of 1.5 ftes Enforcement Officers with the Manager returning to Richmondshire District Council.

2.3 At times there has been public concern about how the Council has dealt with breaches of planning control and about the effectiveness of the Enforcement Service and there have been some recent high profile cases where this has been an issue. The effectiveness of the Enforcement Service can impact on people's confidence in the Planning Service generally.

2.4 In June Cabinet approved a 0.5 fte additional resource for Enforcement by making an existing temporary appointment permanent (Minute CA.9). It was recognised at the time that this may not be sufficient to meet the aim of a more pro-active and responsive Enforcement Service. The intention was to return to the matter following consideration of the Council's priorities.

3.0 THE PROPOSAL:

3.1 Currently there are about 250 live enforcement cases, these include about 125 cases from 2010 and 2011. With a future workforce of 1.5 ftes this gives a case-load of 166 cases per Enforcement Officer. It is estimated that 1 Enforcement Officer can deal with a case-load of about 70 cases in a timely and efficient manner. As case-load increases progress on live cases is slowed, some cases will cease to be fully investigated and some lower priority cases will be written off as being out of time.

3.2 To reduce the case-load to a more manageable level, and therefore improve the service, the number of Enforcement Officers needs to be increased. An increase to 2.5 ftes would result in case-load of 100 per Enforcement Officer, 3.5 ftes would result in a case-load of 71 which is the figure suggested above. However, given that Council resources are limited and that there are calls from other services for increased resources, an additional 2.0 ftes

would be difficult to justify. The proposal therefore is that an additional 1.0 fte Enforcement Officer be recruited, together with the regular review and prioritisation of cases. Alongside this a local enforcement plan should be prepared as recommended by the National Planning Policy Framework (NPPF) which would set out how the Council will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.

3.3 Increasing enforcement activity will increase the demands on management and the Legal Section. The revised structure for the Planning Service approved by Cabinet in June is intended to provide the management support/leadership for the Enforcement Officers. It may be necessary to look at the resources in the Legal Section.

4.0 **DECISION SOUGHT:**

4.1 To support increased resources for Enforcement.

5.0 **LINK TO CORPORATE PRIORITIES:**

5.1 An effective and efficient Planning Service is important to delivering a range of corporate objectives, however, there are no objectives that specifically relate to Enforcement.

6.0 **RISK ASSESSMENT:**

6.1 Risk in approving the recommendations

Risk	Implication	Prob*	Imp*	Total	Preventative action
More pro-active Enforcement places pressure on resources in the Legal Section	Need for additional resources in the Legal Section and a consequent increase in costs	4	3	12	Review resources
Additional resources of 1.0 fte may not be sufficient to the level of service sought	Service does not meet expectations	4	3	12	Review resources and priorities

6.2 Risk in not approving the recommendations

Risk	Implication	Prob*	Imp*	Total	Preventative action
Capacity in Enforcement is not sufficient	Reduced level of Enforcement	5	4	20	Implement the proposals
Public are not satisfied with the service	Impact on satisfaction with the Planning Service and the Council.	5	4	20	Implement the proposals

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

7.0 **FINANCIAL IMPLICATIONS AND EFFICIENCIES:**

7.1 The cost of the proposals in a full year is £27,690 which is the salary with "on-costs". It is expected that the new post would be in place by January 2013 and therefore the financial implications of the proposals are:-

	2012/13 £	2013/14 £	2014/15 £	2015/16 £
Cost of the change	<u>6,920</u>	<u>27,690</u>	<u>27,690</u>	<u>27,690</u>

7.2 From 2013/14 there would be a shortfall in funding of £27,690 to be found from the Revenue Budget which will impact on the budget outlook as follows:-

	2012/13 £	2013/14 £	2014/15 £	2015/16 £
Expected Revenue Budget Surplus	<u>50,213</u>	<u>139,310</u>	<u>70,570</u>	<u>117,985</u>
Cost of the Additional Resource	<u>6,920</u>	<u>27,690</u>	<u>27,690</u>	<u>27,690</u>
Revised Surplus	<u>43,293</u>	<u>111,620</u>	<u>42,880</u>	<u>90,295</u>

8.0 **RECOMMENDATION:**

8.1 It is recommended that:-

- 1) the funding for an additional 1.0 fte post be approved; and
- 2) an Enforcement Strategy to guide service priorities be prepared.

MICK JEWITT

Background papers: None

Author ref: MAJ

Contact: Mick Jewitt
Director of Housing and Planning
Direct Line No (01609) 767053

