

## **REPORT ON OPEN ENFORCEMENT CASES**

### **Purpose of the Report**

To inform Members of the current situation regarding the enforcement caseload.

### **Recommendations**

- (a) That the report be received.**
- (b) That a further update be provided alongside the next quarterly monitoring report on cases where enforcement action has been authorised.**

### **1. Background**

- 1.1 In accordance with previous Committee decisions, the format of this report shows existing and previous enforcement cases. The Table included in this report shows the total number of outstanding cases in one format (shown below). The publication of the report has been delayed by 2 weeks due to the Enforcement Officer's sickness absence.
- 1.2 Since the preparation of the last report on 14 September 2012 a further 54 new cases have been reported and overall 31 cases have been closed this Quarter. The net figure as of 21 January 2013 therefore stands at 180 open cases (23 more than last quarter, mainly due to the Enforcement Officer's absence and work on existing complex enforcement cases). This follows a reduction by 30 in the number of open cases over the previous Quarter. Progress continues to be made on older cases however. In 2012 20 more cases were received compared to 2011. The number of total open cases remains less than in previous years. It is envisaged, on the basis of previous experience, that the total number of open cases will again reduce providing staffing arrangements are maintained, and the rate of new cases does not increase further.

### **2. Conclusions**

- 2.1 It remains inevitable that some cases in the 'backlog' will remain open for some time because of their complexity.
- 2.2 Progress continues to be made in tackling older cases and there is still a significant body of work being undertaken behind the scenes, which has lead to progress in several complex cases. Officers' enforcement workload is regularly reviewed to ensure continuity and case progression, and will continue to be undertaken.
- 2.3 The Council's Planning Enforcement Officer continues to assist Planning Officers where possible by providing updates to their enforcement caseload and to seek to progress either the taking of enforcement action or their closure. This has also resulted in the submission of several additional planning applications, albeit that some have been refused and Officers are in the process of preparing several 'new' reports on whether or not it is expedient, having regard to the provisions of the development plan and any other material considerations, to take enforcement action. In 2012 some 14 expediency reports were cleared under delegated powers and a further 3 such reports came before the Planning Committee. This compares with the 2011 figures of 18 and none respectively. The total number of cases open remains below 200 cases (180 at the time of report preparation).

### **4. Current Outstanding Enforcement Cases**

- 4.1 The Table below shows the current statistics in comparison to the previous Quarter based on the position up to and including 21 January 2013.

#### ***Current Enforcement Status***

<b>Year</b>	<b>Total</b>	<b>Open</b>	<b>C1</b>	<b>C2</b>	<b>C3</b>	<b>BOC</b>	<b>L</b>	<b>M</b>	<b>H</b>
2013	10	9	-	7	2	-	-	-	-

2012	224	85	13	57	11	4	-	-	-
2011	204	19	2	12	5	-	-	-	-
2010	206	10	2	6	2	-	-	-	-
2009	233	17	-	11	3	1	-	1	1
2008	276	13	-	-	-	-	3	10	-
2007	353	6	-	-	-	-	1	4	1
2006	280	9	-	-	-	-	2	4	3
2005	227	2	-	-	-	-	-	-	2
2004	252	3	-	-	-	-	1	1	1
2003	244	1	-	-	-	-	-	1	-
2002	247	5	-	-	-	-	-	2	3
2001	204	1	-	-	-	-	-	1	-
2000	219	-	-	-	-	-	-	-	-
1999	177	-	-	-	-	-	-	-	-
1998	217	-	-	-	-	-	-	-	-
1997	263	-	-	-	-	-	-	-	-
<b>Open Cases</b>		<b>180</b>							
<i>(inc Backlog)</i>			<i>Previous Quarter</i>		<b>157</b>				

Note for Table – C categories represent the categories agreed by the Planning Committee in February 2009; BOC indicates that the case concerns a Breach of Condition, whilst L, M and H represent Low, Medium and High priorities respectively allocated to the pre-February 2009 cases

Officers will continue to make progress in tackling the previous backlog, whilst maintaining a manageable reservoir of new/existing cases at a sustainable level. A number of the above cases have associated pending planning applications awaiting determination (7 as of 21 January 2013).

**Date Report Prepared**

21 January 2013