

<b>PLANNING AND ENVIRONMENTAL PROTECTION COMMITTEE</b>	<b>AGENDA ITEM 6</b>
<b>1.30 pm 13 JUNE 2017</b>	<b>PUBLIC REPORT</b>

Cabinet Members responsible:	Councillor Hiller - Cabinet Member for Growth, Planning, Housing and Economic Development	
Contact Officer:	Nick Harding (Head of Planning)	Tel. 454441
Reporting Officer:	Paul Smith (Compliance & S106 Manager)	Tel. 453468

**PLANNING COMPLIANCE QUARTERLY REPORT ON ACTIVITY & PERFORMANCE JANUARY TO MARCH 2017, INCLUDING SUMMARY FIGURES FOR FINANCIAL YEAR 2016/17.**

<b>R E C O M M E N D A T I O N S</b>	
<b>FROM :</b> Director of Growth and Regeneration	<b>Deadline date :</b> June 2017
That Committee notes past performance and outcomes.	

**1. PURPOSE AND REASON FOR REPORT**

It is useful for Committee to look at the Planning Service's planning compliance performance and activity and identify if there are any lessons to be learnt from the actions taken. This will help inform future decisions and potentially reduce costs. This report is presented under the terms of the Council's constitution Part 3, delegations section 2 para 2.5.1.4.

**2. TIMESCALE.**

Is this a Major Policy Item/Statutory Plan?	<b>NO</b>	If Yes, date for relevant Cabinet Meeting	<b>n/a</b>
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**3. MAIN BODY OF REPORT**

**Quarter 4 Outcomes**

**3.1** In the fourth quarter of 2016/17 we received a total of 152 service requests (we usually average 150 cases per quarter). Taking into account the number of cases closed over the period (142 cases) as at 31 March 2017 we had 169 live cases being investigated / in the process of being resolved. The Technical Services Team acknowledged 100% of new service requests within 3 working days this quarter, well above the target of 80%. 98% of initial site visits were made within 7 days of the service request being received, again well above the 80% target. A total of 3 enforcement notices were issued in the quarter. No enforcement notices fell due within the quarter to be complied with. There were 2 enforcement notices issued in the previous quarter that have not been complied with on time.

**3.2** No Court Action requests in relation to enforcement cases were made this quarter.

**3.3** No prosecutions have been sought this quarter either.

**2016/17 Outcomes**

**3.4** For the financial year 2016/17 we received a total 601 service requests and closed a total of 584 cases. The number of complaints we receive is rising. In the previous two years we

received 505 service requests in 2015/16 and 530 service requests in 2014/15. 96% of service requests were acknowledged by the Technical Services Team within 3 working days. 98% of initial site visits were made within 7 days of the service request being received. A total of 29 notices were served over the financial year. There were no prosecutions over the year.

- 3.5** We received a total of 4 appeals against the notices we served. 2 appeals were dismissed, 1 was upheld, and 1 was withdrawn.
- 3.6** To summarise the 584 cases closed over the year, 49% were closed as no breach found, 27% were remedied by the breach being addressed without recourse to formal notices being served, and 15% were closed as action not justifiable.
- 3.7** Notable successes for the year include:-
- the residential use of stables being stopped at Paradise Lane, Northborough
  - a 'beds in sheds' case which stopped the use of a garage as a residential dwelling at Lincoln Road
  - car sales and car storage at a residential property at Edwalton Avenue, New Town being stopped
  - a commercial car wash at New Road, Peterborough being stopped.
- 3.8** Please see the attached Appendix 1 for further details of the Planning Compliance Team Quarterly Report on Activity & Performance, and Appendix 2 for summary figures for the financial year 2016/17.

#### **4. IMPLICATIONS**

- 4.1 Legal Implications** – There are no legal implications relating to this report on performance, although the enforcement process itself must have due regard to legal considerations and requirements.

**Financial Implications** – This report itself does not have any financial implications

**Human Rights Act** – This report itself has no human rights implications but the enforcement process has due regard to human rights issues.

**Human Resources** – This report itself has no human resources implications.

**ICT** – This report itself has no ICT implications.

**Property** – This report itself has no Property implications.

**Contract Services** – This report itself has no Contract Services implications.

**Equality & Diversity** – This report itself has no Equality and Diversity Implications, although the enforcement process has due regard to such considerations.

## **APPENDIX 1**

### **INFORMATION ITEM: PLANNING COMPLIANCE TEAM QUARTERLY REPORT ON ACTIVITY & PERFORMANCE – (January to March 2017)**

<b>Description</b>	<b>No.</b>	<b>Comments</b>
Complaints Received	152	The number of new cases has risen by 25
Complaints Resolved (cases closed as % of cases received)	142 (93.4%)	The number of cases closed has fallen by 14
Complaints on Hand/Pending	169/140	Cases on hand risen by 16 and cases pending has risen by 23
<b>Reasons Cases Closed</b>	<b>No</b>	<b>Comment</b>
Development de minimis	4	
Development older than four years	2	
Breach confirmed - action not authorised	7	
No breach found	67	
No development established	1	
Permitted development	8	
Permission granted	13	
Breach remedied	27	
Not expedient	2	
Breach mitigated	1	
Would Grant Planning Permission	4	
Total Closed	142	
<b>Enforcement Notices Served</b>		
Planning Contravention Notice	1	17/00014/ENFREP 10 Grimshaw Road
Change of Use Notice	2	17/00055/ENFCOU 20 Crown Street 16/00539/ENFCAR 202A Lincoln Road
<b>Total Notices Served</b>	<b>3</b>	Down from 9 in the last quarter
<b>Enforcement Notices Due and Complied With in the Quarter</b>		
Type	Due	Comment
<b>Total Notices Complied with</b>	<b>0</b>	Down from 5 in the last quarter
<b>Other Enforcement Notices Complied With in the Quarter</b>		
Type	Due	Comment
Operational Development Notice	2	15/00267/ENFOTH Restaurant 31 Lincoln Rd 15/00428/ENFOTH 12 Park Road
<b>Total Notices Complied with</b>	<b>2</b>	Same as last quarter

<b>Enforcement Notices Due but Not Complied Within the Quarter</b>		
Type	Date Due	Comments
Operational Development Notice	18.01.2017	16/00118/ENFEXT Extension at 1116 Bourges Boulevard
Operational Development Notice	17.03.2017	16/00470/ENFOTH 52 Eastfield Road
<b>Total</b>	<b>2</b>	Up from zero in last quarter

<b>Other Notable Outcomes</b>	
13/00269/ENFCOU Caravans at Land South East Of Nine Bridges Glinton	Enforcement action pending until appeal against 2 <sup>nd</sup> refusal of permission has been decided
16/00069/ENFMON. Parking provision at 142 Cobden Avenue, Millfield Peterborough, PE1 2NU	Owner has issued a notice to quit on his tenant and will remedy breaches when he has possession of the property

<b>Court Action Agreed</b>		
Failure to comply with enforcement notice. Summons Issued		
Total	0	No change from last quarter
<b>Prosecutions</b>		
Total	0	No change from last quarter

<b>Performance Measures</b>			
	Description	% / Time	Comments
	% of cases closed within 8 weeks if No Breach found.	78	Target of 80%
	Average time (weeks) to resolve all cases closed last quarter.	12	No Target
LPI	% of complaints acknowledged within 3 working days.	100	Target of 80%
LPI	% of site inspections carried out within 7 days of acknowledgement.	98	Target of 80%

## **APPENDIX 2**

### **INFORMATION ITEM: PLANNING COMPLIANCE PERFORMANCE FOR 01/04/2016 TO 31/03/2017**

<b>Description</b>	<b>No 2014-15</b>	<b>No 2015-16</b>	<b>No 2016-17</b>
Complaints Received	530	505	<b>601</b>
Complaints Resolved (Cases closed as % of cases received)	593 (111.88%)	555 (109.90%)	<b>584 (97.17%)</b>
Complaints on Hand/Pending	N/A	N/A	<b>169/140</b>

#### Enforcement Notices

<b>Reason</b>	<b>No</b>
Total Notices Served	29
Listed Building Enforcement Notice	1
Breach of Condition Notice	3
Planning Contravention Notice	7
Operational Development Notice	7
Change of Use Notice	10
Breach of Condition Enforcement Notice	1

#### Enforcement Notices Complied with

<b>Reason</b>	<b>No</b>
Planning Contravention Notice	4
Operational Development Notice	5
Change of Use Notice	4
Total Notices Complied with	13

<b>Cumulative Compliance Performance April 2016 – March 2017</b>		
<b>Description</b>	<b>No.</b>	<b>Comments</b>
Complaints Received	601	We received 530 in 2014, 505 in 2015 and 601 in 2016. The yearly total is rising.
Complaints Resolved (cases closed as % of cases received)	584 (94.4%)	We closed 593 in 2014, 555 in 2015 and 584 in 2016.

<b>Cumulative Compliance Performance April 2016 – March 2017</b>			
<b>Description</b>	<b>Target</b>	<b>This quarter %</b>	<b>Yearly average %</b>
Enforcement cases closed within 8 weeks if no breach found.	80% within 8 weeks	78	91
Acknowledgement of enforcement complaints.	80% within 3 working days	100	96
Enforcement site visits carried out within 7 days of acknowledgement.	80% within 7 days	98	98

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