



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: Director of Regeneration & Development Services

Date: 22 April 2014

Subject: Quarterly overview of enforcement activity

Author of Report: Khalid Mahmood

Summary: To inform members of the planning enforcement work being carried out in addition to the formal cases on the quarterly update report and to give an overview of the overall quality of the service provided by planning enforcement.

Reasons for Recommendations:

The purpose of this report is to give Committee Members an overview of planning enforcement work being carried out and the quality of service provided across the City.

Recommendations:

That members note the report.

Background Papers:

Category of Report: OPEN

REGENERATION & DEVELOPMENT SERVICES

REPORT TO PLANNING AND HIGHWAYS COMMITTEE

22 APRIL 2014

QUARTERLEY OVERVIEW OF ENFORCEMENT ACTIVITY

1. PURPOSE OF THE REPORT

- 1.1 This is the quarterly report to inform members of the work being undertaken by the Planning Enforcement Team. The period covered runs from 1st January 2014 to 31st March 2014.

2. ACTIVITY DURING THE QUARTER

- 2.1 A total of 147 enforcement complaints were received, out of these 47% were concerned with unauthorised development and use and 22% were failure to comply with planning conditions or approved plans. The percentage of cases involving Section 215 untidy land/buildings was 6%, unauthorised advertisements including hoardings were 17% and all other complaints were 8%.
- 2.2 The number of cases resolved within the target of 6 months was almost 55% of all the cases closed in the period. Almost 43% of these cases have been remedied or made acceptable. The team is slightly short of its target, to close 57% of cases within 6 months, but actions are being taken to find more efficient ways of screening enquiries to compensate for a reduction in the capacity of the team.
- 2.3 The table below shows the number of formal Notices served and prosecutions carried out within this period and the previous three quarters as well as the service years 2012/13 and 2013/14 to show trends: -

Notice type	Financial Year 2012 to 2013	Financial Year 2013 to 2014	Quarter 1 Apr – Jun 2013	Quarter 2 Jul – Sept 2013	Quarter 3 Oct – Dec 2013	Quarter 4 Jan – Apr 2014
Breach of Conditions	5	14	2	3	5	4
Discontinuance (adverts)	2	0	0	0	0	0
Enforcement	29	15	2	3	4	6
Stop	3	0	0	0	0	0
Temporary Stop	2	2	0	1	0	1
Section 215 (untidy land)	6	5	1	1	1	2
Section 225 (signs)	6	10	5	1	4	0
Total Notices Served	53	46	10	9	14	13
Prosecutions	4	8	0	2	0	6

- 2.4 The numbers of formal Notices that have been served in this year have decreased slightly, however, the number of prosecutions have increased. Over the last year there has been shift in emphasis, to serving more Breach of Condition Notices, responding to community and Member concerns that the Council needs to be more effective in ensuring that conditions are complied with.
- 2.5 There has been little change overall from the last quarter compared with this quarter except for the significant increase in the number of prosecutions for non-compliance with notices. We have had a number of successful prosecutions during this quarter where works were carried out by the contravener as a result of the prosecution. 3 out of 6 cases have been successfully concluded.
- 2.6 The table below shows the number of complaints received in the last service year 2013/14 and the previous service year 2012/13:-

Service year 2012 - 2013	Service year 2013 - 2014
693	702

- 2.7 The table below shows the number of complaints received in each area of the city over the last service year 2013/14:-

South	North	City Centre & East
222	231	229

- 2.8 The number of complaints overall, received this financial year has been consistent with the previous year. However, the numbers of complaints received in each area of the city has been fairly equal, which is a change from previous years where there have consistently been a higher number of complaints received in the South of the city.
- 2.9 Officers have recently dealt with a case relating to a wall within the Kelham Island Conservation Area that had been partially demolished. Whilst Officers were on site it was noticed that the reason why the wall was demolished was to create an ingress/egress point for an unauthorised car park. A Conservation Area Enforcement Notice was served in relation to the partial demolition of the wall. The owners submitted an application for the unauthorised car park. The application did not meet policy guidelines and was therefore refused. An Enforcement Notice was served to stop the unauthorised use. The owners appealed against the refusal of planning permission and the Enforcement Notices. The Planning Inspectorate considered all three appeals simultaneously and dismissed all three. The Enforcement Notices have recently been complied with, the wall has now been reinstated and the use of the land as a car park has stopped. The photographs below show the wall before and after the notice was complied with.

Before and after



3. CONCLUSION

3.1 Officers have recently had prosecution training, which has enabled them to gain a better understanding of the type of, and amount of evidence required and the information required to prepare statements that would be successful in prosecutions. This will both give confidence to officers and also support them to be successful in further prosecutions.

3.2 One of the big changes to the service this year has been the creation of an Enforcement Team Leader's post, from within the team, to help compensate for the deletion of the Enforcement Manager post. This change has enabled new ways of working such as filtering enquiries and complaints before they are registered as a complaint and implementing some efficiency measures.

4. RECOMMENDATION

4.1 It is recommended that Members note the report.