



SHEFFIELD CITY COUNCIL Planning & Highways Committee

Report of: The Head of Planning

Date: 9 May 2017

Subject: 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 6 monthly 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

9 MAY 2016

OVERVIEW OF ENFORCEMENT ACTIVITY

1. PURPOSE OF THE REPORT

- 1.1 This is the six-monthly report to inform members of the work being undertaken by the Planning Enforcement Team. The period covered runs from 1st November 2016 to 31st March 2017.

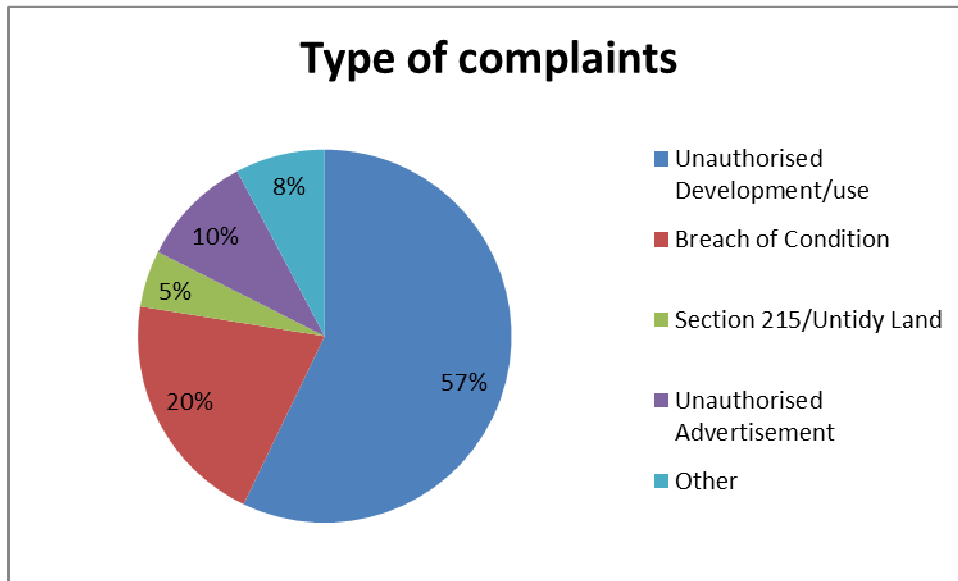
2. ACTIVITY DURING THE PERIOD

- 2.1 The National Planning Policy Framework (NPPF) is encouraging Councils to publish a Local Planning Enforcement Plan; this is to ensure that planning enforcement remains clear, transparent and accountable. The Enforcement Plan has now been implemented and is available to view on the following link https://service.sheffield.gov.uk/selfservice/L15_Portal.html?formname=PlanningEnforcement. The plan sets out how Sheffield City Council will approach alleged cases of unauthorised development, including what and how it will investigate and when it is appropriate to take enforcement action.
- 2.2 Prosecution is an important part of enforcement work, without it there is no deterrent to people who have carried out work without consent and then ignoring formal Notices. Recently officers have had excellent results with some of their cases that have been to the Magistrates Courts. In one case a company was fined £1950 including costs for not removing their signs. In another similar case a company was fined a total of £2516, which included the maximum fine possible for such a case minus the credit for a guilty plea. Officer shall be writing to these companies asking them to remove the signs or the matter will be reported for prosecution again. In another a contravener was locked up in custody for two nights after he was arrested on a warrant issued by the Courts due to his previous failure to attend court. He pleaded guilty to the enforcement notice offence and was subsequently fined. The Enforcement Notice has now been complied with.
- 2.3 The Stuck Sites programme is now in its 6th year. During the past 5 years, the programme has helped to clear land for regeneration by bringing about the demolition of ruinous, nuisance buildings, such as the former Ritz Cinema, St Vincent's Church, the former Foundry

Workers WMC and Bridge House. Listed buildings have also benefited from the programme with Globe Works, The Anglican Chapel and Lion Works enjoying essential restorations. Recently, the Stuck Site programme has been shortlisted for an RTPI award for Planning Excellence 2017 in the category for Excellence in Planning to Deliver Housing. The winner will be announced on the 15^h June.

3 SCALE OF INVESTIGATIONS, INCLUDING MONITORING AND ENFORCEMENT

3.1



3.2 A total of 245 complaints were received and 219 cases have been closed in the last 6 months of which 57% have been remedied or made acceptable. There are currently 596 live cases. Performance has fallen short of the Service target of 60% for cases closed within 6 months due to a combination of staff resourcing issues including the loss of one member of staff arising from budget pressures and a long term sickness absence.

3.3 The table below shows the number of complaints received in the last year 2016/17 and the previous year 2015/16:-

Year 1 st Apr 2015 – 31 st Mar 2016	Year 1 st Apr 2016 – 31 st Mar 2017
607	571

4 WILLINGNESS TO TAKE STRONG ACTION

4.1 The table below shows the number of formal Notices served and prosecutions carried out within the last year 2016/17 and the previous year 2015/16 to show trends: -

Notice type	Year 1 st Apr 2015 to 31 st Mar 2016	Year 1 st Apr 2016 to 31 st Mar 2017
Breach of Conditions	17	9
Discontinuance (adverts)	0	0
Enforcement	16	18
Stop	0	0
Temporary Stop	2	2
Section 215 (untidy land)	6	1
Section 225 (signs)	24	7
Total Notices Served	65	37
Prosecutions	9	10

- 4.2 The table below shows the number of formal Notices served and prosecutions carried out within this period and the previous three quarters to show trends: -

Notice type	Quarter 1 1 st Apr – 30 th Jun 2016	Quarter 2 1 st Jul – 30 th Sep 2016	Quarter 3 1 st Oct – 31 st Dec 2015	Quarter 4 1 st Jan – 31 st Mar 2015
Breach of Conditions	1	0	1	7
Discontinuance (adverts)	0	0	0	0
Enforcement	5	5	3	5
Stop	0	0	0	0
Temporary Stop	1	0	1	0
Section 215 (untidy land)	0	0	0	1
Section 225 (signs)	1	0	5	1
Total Notices Served	8	5	10	14
Prosecutions	2	2	2	4

- 4.3 The number of formal Notices that have been served in the last 12 months has decreased due to less S225 Notices being served in relation to illegal signs. The number of prosecutions and Enforcement Notices served in the last 6 months has remained consistent. However, the number of Breach of Condition Notices served has increased in the last 6 months.

5. CONCLUSION

- 5.1 Due to issues relating to staffing and resources the six month service target has not been met; number of Notices served and prosecutions have remained fairly consistent.

6. RECOMMENDATION

- 6.1 This report is for noting