

**\*PART 1 – PUBLIC DOCUMENT**

**Planning Enforcement Quarterly Report**

**INFORMATION NOTE OF THE DEVELOPMENT AND CONSERVATION MANAGER**

**1. SUMMARY**

- 1.1 This is a note for information setting out the quarterly update of the planning enforcement service. It is not an item to be voted upon but intended to supply Members with information relating to the work of the Planning Enforcement Team, as requested by Members.
- 1.2 Recent restructuring within the Planning Service brings together conservation and compliance through the creation of the Conservation and Enforcement Team to deliver on the NHDC's key priorities to put people first, deliver sustainable services and to enable a brighter future together.
- 1.3 The Planning Enforcement Team manages a caseload characterised by a wide range of investigations into breaches of planning regulations and listed building legislation, prioritising those with the highest level of harm and public interest.
- 1.4 Compliance Officers have been working to reduce the level of backlog cases during the last six months. The number of active investigations is now approximately 170 cases. This update outlines the cases still under investigation and reports on current and proposed enforcement action on those cases that arise in significant harm to public amenity and/or the built environment.

**2. STEPS TO DATE**

- 2.1 This is a regular update of the Planning Enforcement Team as requested by Members. This is part 1 of the report which does not provide details of current enforcement cases. It is provided for information only as are details set out in Part 2 of this report. Part 2 will include details of current enforcement cases which will involve likely disclosure of exempt information as defined in Paragraph 3 of Part 1 of Schedule 12A of the Local Government Act 1972.

**3. INFORMATION TO NOTE**

**Strategic Context**

- 3.1 Planning Compliance is concerned with works which have taken place in breach of planning control as set out in the Town and Country Planning Act 1990 (as amended). Against this backdrop, the CPES investigates and aims to resolve planning breaches through informal compliance where possible, while taking strong and justified enforcement action where appropriate.

- 3.2 In line with the aspirations of the Council Plan and Corporate Enforcement Policy, the Conservation and Planning Enforcement Service adopts a consistent and proportionate approach to investigating and resolving breaches of planning control. A key objective is to remove breaches that cause planning harm to the environment and the community, and to reinforce the identity of North Hertfordshire as a district that puts people first and aims to deliver sustainable services to enable a brighter future together.
- 3.3 This approach means that the Council complies with the relevant legislative framework whilst providing a service which maintains the integrity of the planning enforcement service and public confidence in the Council being able to perform its duties.
- 3.4 Enforcement actions are focussed on the objectives to:
- resolve breaches that cause planning-related harm;
  - be proportionate to the nature of the harm caused;
  - deter future non-compliance;
- change community willingness to undertake planning to breaches to prevent them becoming widespread;
  - be responsive and consider prevent public perception about effective planning

### **Planning Enforcement Plan**

- 3.5 The National Planning Policy Framework (NPPF) recommends that local planning authorities publish a local enforcement plan to manage planning enforcement proactively and in a way that is proportionate to their area.
- 3.6 The Planning Enforcement Plan features as Appendix E of the Corporate Enforcement Policy 2022, which is currently being updated. The Plan sets out NHDC's approach to planning enforcement to reflect the priorities and approaches within the service. The Plan offers planning enforcement guidance for all who are involved in or affected by breaches of planning control within the district; it also establishes revised performance targets for alleged breaches reported to the service.

### **Team Structure**

- 3.7 Conservation and Planning Enforcement were previously separate teams and were recently subject to restructure that resulted in the merging of the teams. The current structure has already shown positive impact in terms of much needed stability and has allowed the team to address some key strategic issues as well as progress some key cases. The structure has helped to bring the teams together as a single conservation and planning enforcement service.
- 3.8 The Conservation and Enforcement Team is comprised of 1 Team Leader, 2 Senior Conservation Officers, 1 Senior Compliance Officer, 2 Compliance Officers, and 1 S106 Monitoring and Compliance Officer.

### **Vacancies**

- 3.9 Staffing challenges have resulted in a high turnaround of Planning Enforcement officers. Two Compliance Officers (currently recruiting to posts) and one S106 Officer (Currently recruiting to post). Temporary contractors have supported the team during the transition phase for recruiting and establishing the new team.

3.10 Planning Enforcement administrative functions are currently delivered by the Technical Support Team as an interim measure while recruitment is completed and the new Planning Enforcement structure beds in.

### Performance

3.11 The Enforcement Team are currently investigating 177 active cases, and has already improved on the average performance for 2023. The chart below shows the team performance for new cases received for investigation over a period of five years.

3.12 The hard work, efforts and commitment of officers, who are all credited for achieving positive outcomes under challenging circumstances and has resulted in over 60 cases being resolved in Q1 of 2024. Once fully staffed, the aim is for the CET to deliver a level of service in order to improve even further.



6.3 The above chart shows that the number of enforcement investigations has remained broadly consistent over the last five years. The details of the proposed performance targets timelines are awaiting approval and publication, so are detailed in the Part 2 Report.

## 4 NEXT STEPS

To note this report.

## 5. APPENDICES

None.

## 6. CONTACT OFFICERS

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**7. BACKGROUND PAPERS**

None