

PLANNING COMMITTEE

14 MAY 2024

REPORT OF THE DIRECTOR OF PLANNING

A.3 Planning Enforcement Update

No information in this report is considered to be confidential. Personal and site information that may allow identification of the site and/or persons is not provided given the confidential nature of enforcement activities and consideration of data protection requirements.

Live Information was taken on **17th April 2024**.

The enforcement policy seeks to report the following areas.

- number of complaints received/registered in the quarter;
- number of cases closed in the quarter;
- number of acknowledgements within 3 working days
- number of harm assessment completions within 20 days of complaint receipt.
- number of site visits within the 20 day complaint receipt period.
- number of update letters provided on/by day 21
- number of live cases presented by category, electoral ward and time period since receipt;
- enforcement-related appeal decisions.

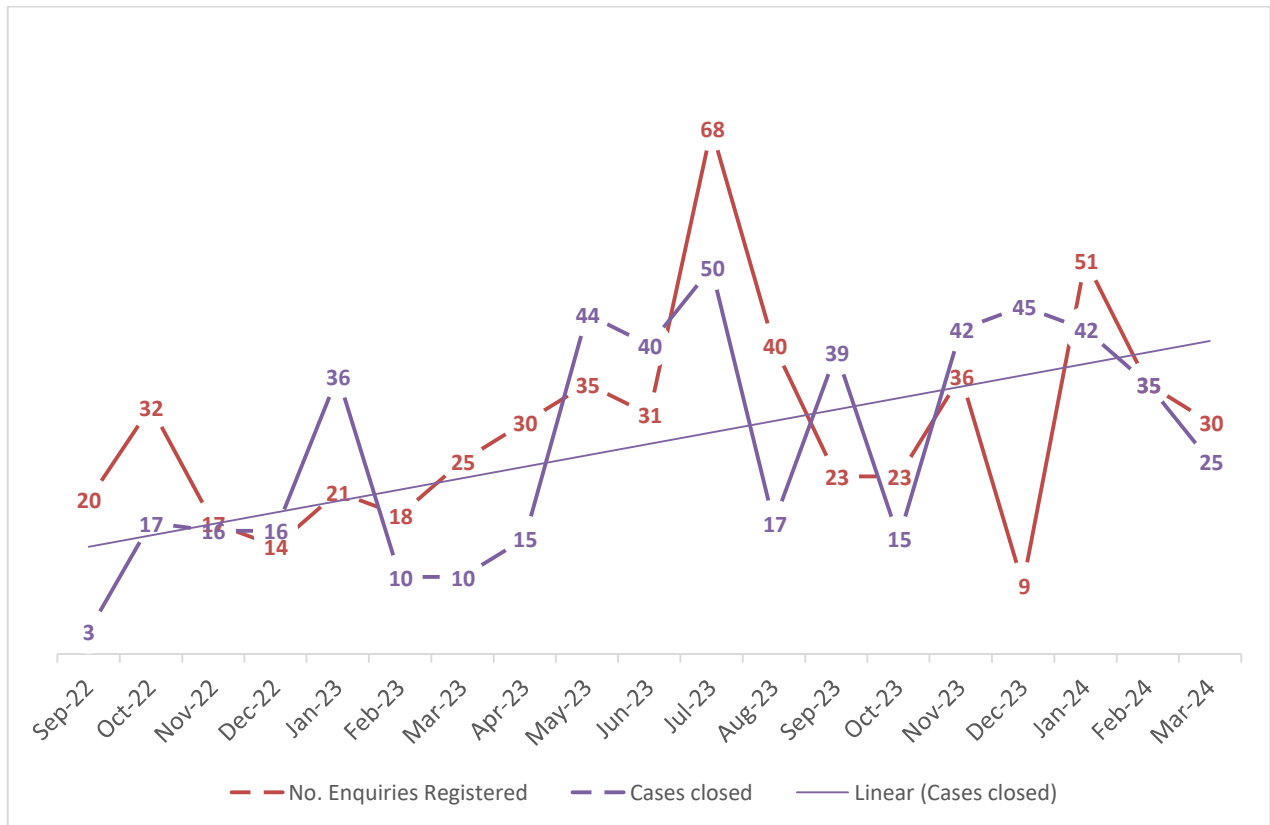
Please note that some areas continue not to be available given the resource to export information from the available system or as addressed directly below. Replacement of Microsoft Access as the main reporting tool are being explored, but transfer of the entire database across to a cloud based server this year (to be conducted Mid April) and upgrade of the Uniform system has delayed efforts.

Number of enforcement complaints received/registered in the quarter +, number of cases closed in the quarter + and number of acknowledgements within 3 working days.

Month	Year	No. Enquiries Registered	No. Enquiries Registered in 3 Working Days	Cases closed
Jan-23	2023	21	21	36
Feb-23	2023	18	18	10
Mar-23	2023	25	25	10
Apr-23	2023	30	30	15
May-23	2023	35	35	44
Jun-23	2023	31	31	40
Jul-23	2023	68	68	50
Aug-23	2023	40	40	17
Sep-23	2023	23	23	39
Oct-23	2023	23	23	15

Nov-23	2023	36	36	42
Dec-23	2023	9	9	45
Jan-24	2024	51	51	42
Feb-24	2024	35	35	35
Mar-24	2024	30	30	25

(Graph of information above, ENQ and Case Closed, includes earlier data not shown on the table above.)



1. Enquiries Registered:

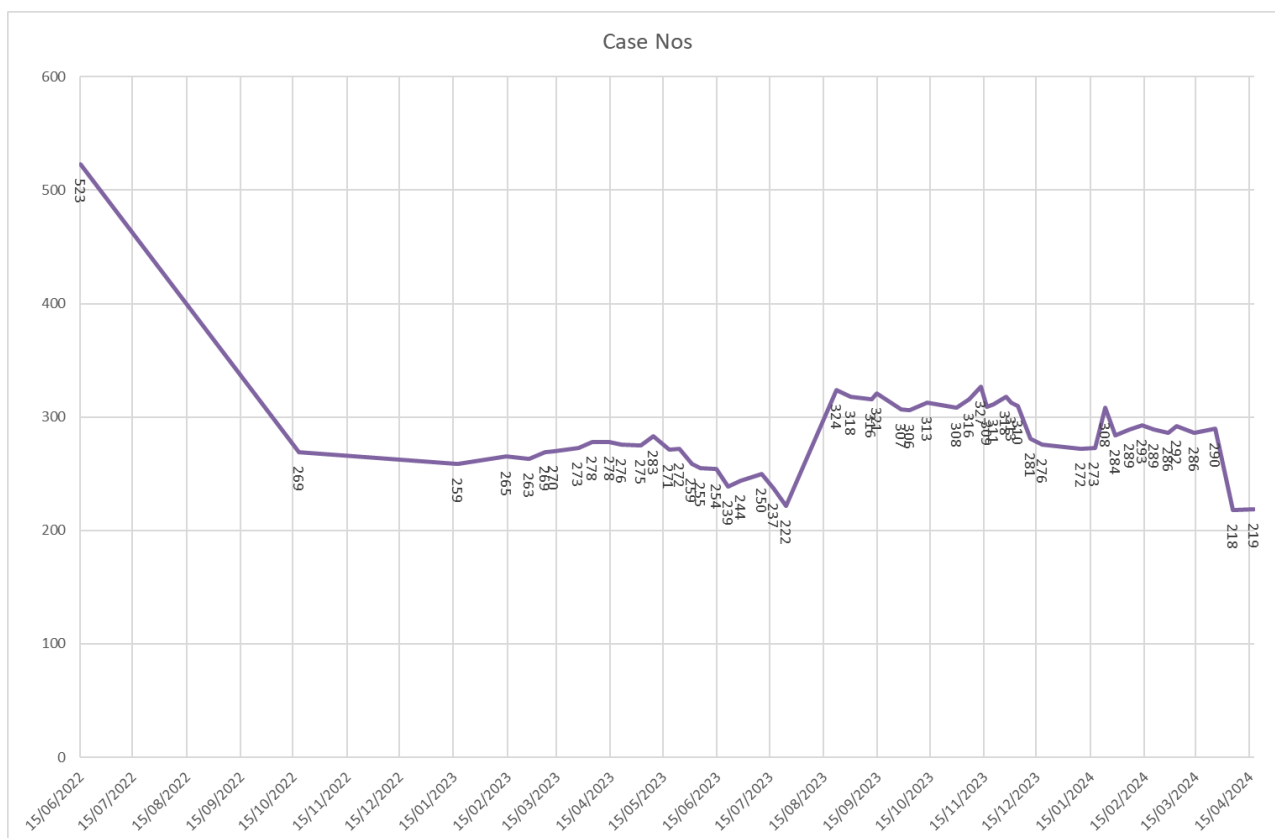
- The number of enforcement enquiries registered continues to vary each month without a clear pattern. A running average is around 29 new enquires a month recorded, or if looking at each calendar year 2023 was an average of 30 per month and 2024 is 38 cases per month so far.

2. Enquiries Registered within 3 Working Days:

- The data shows that all enquiries were registered within 3 working days across all months, indicating a timely response to new cases.

3. Cases Closed:

- The running average of case closures is around 27 cases per month for all records, but for just 2023 this was 30 cases per month and for 2024 so far this is 34 cases per month. As the trend line indicates there has been a notable increase in closures per month, but with historic backlog having been successfully tackled by the team, it is expected that case closures will naturally find a position against the variable of new enquires being made in the future.



Above are points in time that live case numbers have been recorded, around once a week as in the last year. As demonstrated above there was a significant decline in numbers of enforcement cases until August 2023 when the Jaywick project can forward. While this project continues and some of these matters are closed, officers have also tackled the historic backlog leading to the current lowest figure of active caseload to date since these figures have been recorded at 218 at the beginning of April.

Number of harm assessment completions within 20 days of complaint receipt.

At this time harm assessments are used twice for new cases when first created and updated or created for the conclusion of all cases. Harm assessments are stored in Idox and need to be manually counted. It is understood these are all completed within 20 days and the updated harm assessment through Member review has been implemented.

It is further noted that the Enforcement Policy sought a traffic light and priority system, and this has been implemented for new cases and all historic cases have been reviewed.

Priority 1 (P1) This category includes development which could cause irreversible or serious harm if the Council does not act immediately.

Priority 2 (P2) This category includes likely significant public concern or where there is significant immediate harm to the amenity of the area.

Priority 3 (P3) Minor breaches which do not result in significant immediate or irreversible harm or public concern.

There is a Priority 4, but these are non breaches of planning and so are closed within a couple of days.

Overlaying the priorities is the Red, Amber and Green traffic lights and together this results in the following table. For example P2AMD is Priority 2 and Amber. N/a means not assessed yet as these are new cases.

N/A	7
P1AMB	4
P1GRE	5
P2AMB	17
P2GRE	13
P2RED	1
P3AMB	74
P3GRE	96
P3RED	1
P4GRE	1
Grand Total	219

Number of site visits within the 20 day complaint receipt period.

While site visits are recorded, there is not yet a report designed to pull out this information and would require a manual count. There is limited skilled technical officers available to design this report at this time. A new reporting tool has been requested that may assist, but not yet installed or set up. From random sampling all initial visits were within 20 days of the complaint.

Number of update letters provided on/by day 21

It remains the case that there is also no report designed to pull this information from the system at this time and this needs expert help to create from the Uniform system in place. We have instead developed a way to track all future update dates for all Enforcement Cases to ensure updates to complainants are not missed. Taken a sample of cases in writing this report, all cases reviewed have achieved an update before day 21.

As a response to the Enforcement task and finish group the following actions continue.

- The engagement of regular updates to Members (a weekly list of enforcement cases placed on the Members Hub)
- Public Access online is now available for all Members and the Public to enable the public to self-serve appropriate information on enforcement cases (similar to planning applications but mindful of sensitive information).

Number of live cases presented by category, electoral ward and time period since receipt.

There are 219 Live Cases at the time of writing this report.

Time Period since receipt.

Age	No of Cases (14 th June)	No of Cases 6 th December	No of Cases 17 th April (219 cases)
Year 1	73	167	174
Year 2	69	40	22
Year 3	21	12	10
Year 4	5	5	9

Year 5	4	4	1
Year 6	4	4	1
Year 7	49	49	0
Year 8	4	4	0
Year 9	1	1	1
Year 10	1	1	0
Year 11	2	2	0
Year 12	20	20	0
Year 13+	1	1	1

Category

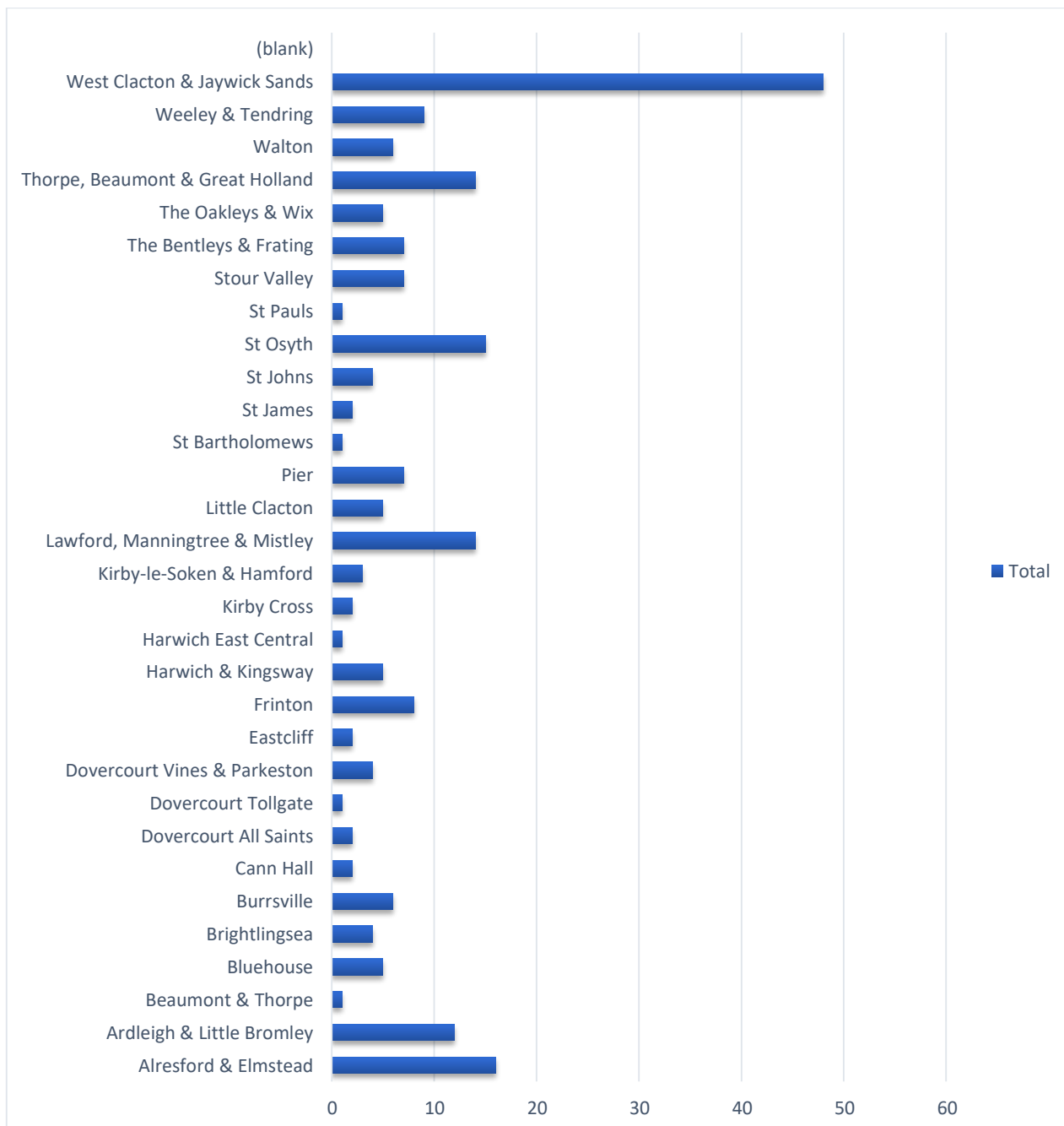
Alleged breach of condition	41
Alleged breach of occupation condition	2
Alleged building works	40
Alleged change of use	43
Alleged change of use to HMO	6
Alleged Non-Compliance with approved plans	16
Alleged Non-Compliance with Section 106	4
Alleged unauthorised advert	5
Alleged Unauthorised Engineering Works	2
Alleged Untidy Site Jaywick S215	40
Alleged Untidy Site S215	12
Alleged works to a protected tree	4
Alleged works to Listed Building	3
Old Type Reference	1

Electoral ward

The following is the number of current enforcement cases divided by Ward (Please note Ward in some cases is based on the Ward at the time of the enquiry being made). This is translated into a graph further down.

Alresford & Elmstead	16
Ardleigh & Little Bromley	12
Beaumont & Thorpe	1
Bluehouse	5
Brightlingsea	4
Burrsville	6
Cann Hall	2
Dovercourt All Saints	2
Dovercourt Tollgate	1
Dovercourt Vines & Parkeston	4
Eastcliff	2
Frinton	8
Harwich & Kingsway	5
Harwich East Central	1

Kirby Cross	2
Kirby-le-Soken & Hamford	3
Lawford, Manningtree & Mistley	14
Little Clacton	5
Pier	7
St Bartholomews	1
St James	2
St Johns	4
St Osyth	15
St Pauls	1
Stour Valley	7
The Bentleys & Frating	7
The Oakleys & Wix	5
Thorpe, Beaumont & Great Holland	14
Walton	6
Weeley & Tendring	9
West Clacton & Jaywick Sands	48



Current Enforcement-related appeals.

EN Case Ref	Address	Breach	Uniform Appeal Ref	Appeal Start Date	Procedure	Enforcement Notice
22/00117/ENFE NQ	Adens Wignall Street	Alleged not in accordance with Planning Permission	23/00056/REFUSE	03.04.2024	Written Rep	DRAFTED
23/00187/BOC	Land adjacent Windmill House, The Street, Ramsey	Alleged Breach of conditions	24/00001/FHOUSE	16.02.2024	Fast Track Appeal	DRAFTED
23/00309/BWK	1 Mill Lane Dovercourt	Alleged Unauthorised Building Works	24/00006/FHOUSE	05.03.2024	Fast Track Appeal	DRAFTED

24/00015/BWK	Tendring Meadows Nursing and Residential Home Heath Road Tendring	Alleged unauthorised building works - erection of a fence adjacent to a vehicle highway	24/00012/ REFUSE	22.03.2024	Written Rep	DRAFTED
23/00041/COU HMO	112 Wellesley Road, Clacton on Sea, Essex	Alleged HMO	23/00048/ REFUSE	16.01.2024	Written Rep	
21/00128/BLDO P3	Blue Barns Farm, Old Ipswich Road, Ardleigh, Colchester, Essex, CO7 7QL	Alleged Unauthorised building Works	24/00004/ FHOUSE	17.04.2024	Written Rep	DRAFTED
23/00160/COU	The Rose, 63 The Street, Kirby Le Soken, Frinton On Sea, Essex	Alleged Change Of Use	24/00015/ REFUSE	TBC	TBC	
20/00322/BLDO P3	Manningtree Station Car Park Manningtree Railway Station	Alleged unauthorised building works - construction of railway station car park extension	24/00016/ ENFORC	16.04.2024	Public Inquiry	SERVED
22/00027/ENFE NQ	Western side of Cow Lane St Osyth	New boarded fence partially surrounding site and at the northern end a lot of hard core has been laid down	22/00048/ ENFORC	25.10.2022	Written Rep	SERVED
21/00149/CHG US3	Forty Winks Dairy Farm Meadow St Osyth Clacton On Sea	Change of use for residential caravans and possible building of new dwelling-?	22/00048/ ENFORC	25.10.2022	Written Rep	SERVED
23/00187/BOC	Land adjacent Windmill House The Street Ramsey	Alleged Breach of conditions.	24/00001/ FHOUSE	16.02.2024	Fast Track Appeal	
23/01282/FULH H	Rairakkushanti Mill Lane Dovercourt Harwich	Alleged Unauthorised Building Works	24/00006/ FHOUSE	05.03.2024	Fast Track Appeal	
21/00335/ENFE NQ	Land adjacent to Heathfield Clacton Road Weeley Heath	unauthorised traveller / gypsy and futher operational development	23/00015/ ENFORC	07.07.2023	Hearing	SERVED

RECOMMENDED – That the Planning Committee notes the contents of this report.