

NATIONAL ASSOCIATION FOR PLANNING ENFORCEMENT

PERFORMANCE INDICATORS

Performance Indicators (PI's) are an essential and accepted aspect of the provision of any service. They allow performance to be measured, targets to be set and comparisons between Authority's to be made. Whilst indicators have been set, and statistics are regularly collated with respect to the Planning Policy and Development Control functions, no meaningful indicators have been set for the Enforcement Function.

Even with respect to those limited statistics on enforcement currently collated by the ODPM and Scottish Executive (no figures are currently collated by the Welsh Office) there are difference which make comparisons difficult.

In England formal enforcement action is reported on the basis of:

- Enforcement Notices issued
- Stop Notices served
- Breach of Condition Notices served
- Planning Contravention Notices served
- Enforcement injunctions granted by High Court or County Court
- Enforcement injunctions refused by High Court or County Court

whereas in Scotland data is collected for:

- Total number of cases taken up *
- Enforcement Notices issued
- Stop Notices served
- Breach of Condition Notices served
- Planning Contravention Notices served

* A case taken up is defined by the Executive as a case where parties were formally notified in writing that enforcement action may be taken under Sections 127-137 of the Town & Country Planning (Scotland) Act 1997.

The fundamental flaw with statistics such as these is that do not provide a true picture of enforcement activity. In fact the opposite is true. The service of an enforcement notice is normally to be regarded as a last resort, when negotiations to resolve a matter have ultimately failed.

The paper 'Potential Planning Enforcement Indicators' prepared by Steve Lamb from Stockport Metropolitan Borough Council suggests both new or modified enforcement BVPI's and Local Indicators. For BVPI's it is recommended that an new enforcement BVPI be introduced:

- Customer satisfaction survey every 3 years

and that two existing BVPI's be modified;

- BV204 to be modified and split to include % appeals against enforcement notices as well as planning decisions

- BV205 to include modified Pendleton criteria to cover electronic enforcement service

Those Local Indicators currently used by the Greater Manchester Planning Enforcement Forum are:

- Number of complaints received re alleged breaches of planning control
- Percentage of complaints where the initial site visit is carried out within 10 working days
- Number of complaints resulting from a breach of planning control
- Percentage of breaches where initial action is taken within 13 weeks **
** Initial action means not expedient to take further action, resolved by negotiation, or formal action commended.
- Formal action taken
 - Number of Enforcement Notices issued
 - Number of Stop Notices served
 - Number of Temporary Stop Notices served
 - Number of Breach of Condition Notices Served
 - Number of 215 Notices served
 - Number of Injunctions served
 - Number of summonses served relating to a prosecution
 - Number of Planning Contravention Notices served
 - Number of default actions taken
 - Number of High Hedge Remedial Notices
 - Number of S106 Enforcement Legal Agreements

Change complaints to new cases in GM indicators to reflect monitoring???

RESPONDENT INFORMATION FORM:

PROPOSED PLANNING PERFORMANCE ASSESSMENT FRAMEWORK

Please complete the details below and return it with your response. This will help ensure we handle your response appropriately. Thank you for your help.

Name: Michael Hyde

Postal Address:

1. Are you responding: (please tick one box)
- | | | |
|---------------------------------------|-------------------------------------|-------------------------|
| (a) as an individual | <input checked="" type="checkbox"/> | go to Q2a/b and then Q4 |
| (b) on behalf of a group/organisation | <input type="checkbox"/> | go to Q3 and then Q4 |

INDIVIDUALS

- 2a. Do you agree to your response being made available to the public (in the Scottish Executive library and/or on the Scottish Executive website)?
- Yes (go to 2b below)
- No, not at all We will treat your response as confidential

- 2b. **Where confidentiality is not requested**, we will make your response available to the public on the following basis (please tick one of the following boxes)
- | | |
|--|-------------------------------------|
| Yes, make my response, name and address all available | <input type="checkbox"/> |
| Yes, make my response available, but not my name or address | <input type="checkbox"/> |
| Yes, make my response and name available, but not my address | <input checked="" type="checkbox"/> |

ON BEHALF OF GROUPS OR ORGANISATIONS:

3. The name and address of your organisation **will be** made available to the public (in the Scottish Executive library and/or on the SE website). Are you also content for your response to be made available?
- Yes
- No We will treat your response as confidential

SHARING RESPONSES/FUTURE ENGAGEMENT

4. We will share your response internally with other Scottish Executive policy teams who may be addressing the issues you discuss. They may wish to contact you again in the future, but we require your permission to do so. Are you content for the Scottish Executive to contact you again in the future in relation to this consultation response?
- | | |
|-----|-------------------------------------|
| Yes | <input checked="" type="checkbox"/> |
| No | <input type="checkbox"/> |

