

SOUTH CAMBRIDGESHIRE DISTRICT COUNCIL

REPORT TO: Leader and Cabinet
AUTHORS: Executive Director / Head of Planning

11 January 2007

EXTENSION TO HOURS OF POST D.2.32

Purpose

1. To seek Cabinet approval to extend the hours of post D.2.32 (assistant enforcement officer) from 30 to 37 hours per week.

Background

2. Cabinet agreed at its meeting on 12 January 2006 to increase the hours of this post to 30 hours and advertise on an 18 month contract. The current post holder was recruited and commenced work in April 2006, working predominantly on Traveller related issues.

Considerations

3. Over the past year, the workload of the planning enforcement team has increased significantly. The figures below show the marked increase in cases over the past three calendar years.

2004	2005	2006 (to 20 Dec 06)
373	400	486

4. In the Audit Commission's – Environment Inspection of the Council (July 2006) it was noted that:

"Enforcement is mainly reactive rather than proactive. This means that enforcement activities are not being focused on priorities or where infringements can be prevented."

"There are a disproportionately high number of Travellers on illegal sites, requiring above average levels of enforcement activity."

"Parish council representatives in particular considered that enforcement of planning conditions was not being rigorously pursued and this has led to a frustration with planning services within their communities."

5. The inspection highlighted the fact that Traveller enforcement action was taking over the majority of resources within the team, resulting in delays with other enforcement work. The very nature of Traveller enforcement means it is quite reactive but officers are finding it difficult to balance other work with the increase in Traveller enforcement action.
6. Since the appointment to post D.2.32 in April and following the inspection in July, the workload of the enforcement team has increased further. In addition to routine enforcement, for example investigating breaches of planning control, monitoring planning conditions, producing prosecution files and gathering evidence for

statements, the team has been instrumental in achieving six injunctions across the district. These being:

- (a) North and South Injunction at Smithy Fen - 06.04.06
- (b) Pine View Injunction, Smithy Fen - 07.06.06
- (c) Plot 7 Schole Road, Willingham - 07.11.06
- (d) Plots 3 and 4 Cadwin Lane, Willingham - 18.11.06
- (e) Land off Meadow Drove, Willingham - 01.12.06
- (f) Land adjacent Moor Drove, Willingham - 06.12.06

7. If the Council intends to continue obtaining injunctions on land it feels at threat from unauthorised development it is essential that more resources be made available. The evidence gathering, photographs, production of statements and issuing of notices, take time and increasing the hours of this post will help. However in the long term there will either need to be more prioritisation of cases in order to ensure other non-Traveller enforcement action is also being dealt with effectively, or more resources will be needed within the team.

Options

8. There are two options with regard the working hours of post D.2.32:
- (a) to increase the hours of the post to 37 hours per week, enabling more time to be spent on Traveller related enforcement issues, or
 - (b) to leave the post at 30 hours per week resulting in reduced resources and less time to respond to breaches of planning.
9. The post holder is currently employed on an 18-month contract, due to expire in October 2007. Whilst Traveller issues are a priority to the Council at present, the level of resources needed to tackle unauthorised development in the future and the changing nature of priorities in line with diminishing resources, is difficult to predict. It is therefore recommended that the post be reviewed in June/July 2007 following Members consideration of the priorities for the medium term. This would also allow enough notice to be given to the post holder if an extension/permanent position was not approved.

Implications

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| Financial | The post is graded at scp 19 – 26 and currently funded from the ear marked reserve for Traveller Issues (agreed at Cabinet on 12 January 2006). There are sufficient funds available in the reserve account to meet this cost should it be agreed. |
| Legal | The current post holder works directly with legal services to take forward injunctions, prosecutions, and other legal proceedings. With extra resources, this work could be carried out in conjunction with the routine enforcement more effectively. |
| Staffing | The enforcement team is currently staffed at 2.5 posts and this has been recognised as understaffed by the Audit Commission. If the extension is not agreed it will place further pressure on the post holder and the rest of the team who also spend time on Traveller enforcement issues. |
| Risk Management | If the Council is not able to respond to reports of enforcement breaches it runs the risk of having complaints made to the ombudsman. If officers are expected to continue working under the current arrangements there is a risk of stress related illness. |

Equal Opportunities	In line with statutory duties under the Race Relations Acts and Disability Discrimination Acts, the Council operates both a Race Equality Scheme and a Disability Equality Scheme. Travellers represent the biggest ethnic minority in the district (1% of the population) and suffer disproportionately high levels of ill-health and disability. This post enables a specialist officer with knowledge of all Traveller issues in the district to maintain effective working relations with this community.
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Consultations

11. The Strategic Officer Group on Traveller Issues.

Effect on Annual Priorities and Corporate Objectives

12.	Affordable Homes	The need to address Gypsy and Traveller issues has implications for all three Council priorities and all four corporate objectives. This is also reflected in the Council's policy on Traveller issues, agreed in July 2004 which includes a commitment to: "apply planning policy fairly and firmly in relation to Traveller sites" and "uphold the rights of all local residents and Travellers to live peacefully and safely, with mutual respect for the rights of others."
	Customer Service	
	Northstowe and other growth areas	
	Quality, Accessible Services	
	Village Life	
	Sustainability	
	Partnership	

Conclusions/Summary

13. The planning enforcement team is stretched and dealing with higher numbers of cases than ever before. It is important that all reports of planning control breaches are followed up within the agreed timescale in order to fulfil our statutory requirements. The increase of hours for post D.2.32 will enable prioritisation of cases equally across the team, and assist the team in responding to enquiries as quickly and effectively as possible. It is also important to note that if the current demand for enforcement action continues there is likely to be more resources needed in this area in the future.

Recommendations

14. It is recommended to Cabinet that:
 - (a) Post D.2.32 be extended to 37 hours per week, taking effect from 1 February 2007,
 - (b) The cost of this is met from the earmarked reserve on Traveller Issues, and
 - (c) The 18-month contract be reviewed in June/July 2007 following Member agreement of the medium term priorities.

Background Papers: the following background papers were used in the preparation of this report:

Agenda Item 12 - Report to Cabinet 12 January 2006

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