

<b>REPORT TO:</b>	Resources, Overview & Scrutiny Committee
<b>DATE:</b>	10 December 2025
<b>REPORT AUTHOR:</b>	Adam Birkett, Head of Planning and Transportation
<b>TITLE OF REPORT:</b>	Outcomes and resources of planning enforcement

## 1. Purpose of Report

1.1 This report provides the Resources, Overview & Scrutiny Committee with an update on the resources, performance, and current workload of the Council's planning enforcement service.

## 2. Recommendations

2.1 That the Resources, Overview & Scrutiny Committee note the contents of this report.

## 3. Background

3.1 The planning enforcement service, located within the Planning and Transportation Department, is responsible for investigating alleged breaches of planning control across the Borough. These include developments undertaken without planning permission, as well as non-compliance with conditions attached to approved permissions. The service is currently staffed by two full-time enforcement officers.

3.2 The service operates reactively. Officers do not routinely patrol the Borough for breaches but instead respond to reports made by members of the public, elected members, and other stakeholders.

3.3 The service currently holds 464 live cases. This backlog is largely attributed to the Covid-19 pandemic period, during which the Council employed only one enforcement officer. A second officer was appointed in October 2022.

3.4 Demand for the service remains high. Since April 2025, officers have closed 151 cases; however, 154 new complaints were received during the same period. As a result, the overall number of live cases has remained broadly unchanged. The service typically receives approximately 250 complaints per year.

**Table 1: Outstanding live cases, by year**

<b>2015</b>	<b>2016</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>2020</b>	<b>2021</b>	<b>2022</b>	<b>2023</b>	<b>2024</b>	<b>2025</b>
2	1	2	5	12	32	29	74	96	81	130

3.5 All complaints are formally logged and investigated. Investigations usually include a site visit and desk-based research such as reviewing planning history. Officers may

also contact both the complainant and the party subject to the complaint to gather further evidence. Cross-departmental working takes place where relevant.

- 3.6 The Council has a range of formal enforcement powers available. However, enforcement action is discretionary and must be proportionate. Action is only taken where it is considered expedient and in the public interest. Not all breaches result in harm sufficient to justify formal intervention.
- 3.7 Minor or technical breaches that are likely to gain retrospective planning permission will generally not warrant formal enforcement action.
- 3.8 The Council prioritises resolving breaches through negotiation in the first instance. A breach is considered remedied when the responsible party removes, alters, or regularises the unauthorised development so that it is either compliant or acceptable in planning terms.
- 3.9 Informal resolution is often the quickest and most cost-effective approach. Many breaches arise from genuine error, and prompt voluntary action can resolve issues without the need for formal measures.
- 3.10 Where formal enforcement is required, action will be taken in accordance with adopted planning policies and relevant professional standards.
- 3.11 Resource capacity is a key factor in determining whether formal enforcement action is pursued. Such action can significantly increase officer workload and therefore must be reserved for cases meeting the appropriate threshold of harm.
- 3.12 The nature and complexity of complaints vary considerably. While many relate to minor breaches, an increasing number concern changes of use, HMOs, and listed buildings—issues that involve more complex planning considerations.
- 3.13 A notable number of live cases relate to unauthorised shop fronts, shutters, and advertisements within Accrington town centre. Although these are under investigation, current resource constraints limit the speed at which they can be progressed.
- 3.14 In 2024, the Council issued several Enforcement Notices (ENs). While a number of these were appealed to the Planning Inspectorate, three appeals were dismissed in 2025, with the ENs upheld. The Council has also secured successful prosecutions for non-compliance with ENs.
- 3.15 Despite these successes, officers continue to manage a significant caseload and routinely make difficult decisions about prioritisation. Recent discussions between officers, managers, and service heads have focused on improving efficiency and reducing the backlog. An Action Plan has been developed to support this work.
- 3.16 A key action is the introduction of an updated Planning Enforcement Plan, which sets out how the Council will respond to reports of unauthorised development, investigate breaches, and determine whether action is required. The Plan aims to balance maintaining public confidence in the planning system with effective use of resources.

3.17 A draft Planning Enforcement Plan is scheduled to be presented to Cabinet on 3 December 2025, with a recommendation for adoption and implementation early in the New Year.

3.18 The Planning and Transportation Department is also upgrading its software system, which manages planning application records and generates associated documents. Historically, enforcement cases have been managed using paper files; under the new system, they will be recorded and administered electronically. This upgrade is expected to streamline processes, reduce administrative tasks, and improve monitoring of case progress and officer workloads.

3.19 In conclusion, workload within the planning enforcement service remains high, with officers continuing to manage a significant number of live cases alongside a steady flow of new complaints. Despite improvements in processes, successful enforcement outcomes, and planned service enhancements, the continued volume and complexity of cases require officers to make difficult decisions when prioritising their time and resources. Ensuring that the most harmful breaches are addressed promptly remains the core focus, but current demand continues to place considerable pressure on the service.

#### **4. Alternative Options considered and Reasons for Rejection**

4.1 N/A

#### **5. Consultations**

5.1 N/A

#### **6. Implications**

<b>Financial implications (including any future financial commitments for the Council)</b>	N/A
<b>Legal and human rights implications</b>	N/A
<b>Assessment of risk</b>	N/A
<b>Equality and diversity implications</b> A <i>Customer First Analysis</i> should be completed in relation to policy decisions and should be attached as an appendix to the report.	N/A

7. **Local Government (Access to Information) Act 1985:  
List of Background Papers**

7.1 N/A

8. **Freedom of Information**

8.1 The report does not contain exempt information under the Local Government Act 1972, Schedule 12A and all information can be disclosed under the Freedom of Information Act 2000.