
Planning & Environmental Enforcement Business Case

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Portfolio Holder Consulted	No
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Wards Affected	All
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	Communities that are safe, well maintained and green
Key Decision	
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This report contains exempt information as defined in Paragraph 4 of Part I of Schedule 12A to the Local Government Act 1972, as amended	

1. RECOMMENDATIONS

The Executive Committee is asked to RECOMMEND that:-

- 1) The Business case be pursued with the intention to bring together the enforcement functions within Environmental Services and Planning and associated current budget (as identified in Table 6 of Appendix 1) within the Shared Regulatory Service provided by WRS.**
- 2) An additional £23,400 annually be agreed to fund the service to meet the level of demand in Planning Enforcement.**
- 3) An additional £15,260 be agreed to fund 1.6 FTE additional (Grade 6) resource to support the work in tackling the backlog of Planning Enforcement cases each year for the next two years only.**
- 4) An additional £7,537.50 be agreed to fund 0.25 FTE additional (Grade 4) resource for the customer service resource element of fly-tipping, littering and enviro-crime.**

- 5) **An additional £21,650 be agreed to fund 0.5 FTE additional (Grade 6) resource to support the work on enforcement of fly-tipping, littering and enviro-crime.**

2. BACKGROUND

- 2.1 A business case [Appendix 1] was prepared to consider the benefit in bringing together enforcement functions from Bromsgrove and Redditch Council services with those already within WRS to deliver a quality service to all customers. The intention was to identify where service delivery could be improved through prioritisation, standardisation and resilience.
- 2.2 Weaknesses were identified in the current delivery model and the business case explores possible alternatives.
- 2.3 This report was previously listed for the October Executive and was deferred for an opportunity for liaison with Bromsgrove District Council and to consider the budget implications alongside other demands.

3. OPERATIONAL ISSUES

- 3.1 The Business Case provides an overview of the enforcement activity across all services of Bromsgrove and Redditch Councils, including shared services. Planning, Environmental Services and Housing are the obvious areas with enforcement functions to consider. The difficulties in maintaining a viable enforcement service for each subject area is discussed and identifies that knowledge, skills and wider supporting mechanisms are in general difficult to provide for isolated teams or individuals.
- 3.2 With reference to the relevant priorities of the Councils, the objectives of the business case are to target enforcement using an intelligence led approach with proportionate use of resources and improved service standards. Recognising the risk to the authorities in getting enforcement wrong, both reputationally and financially the business case seeks to deliver a strong service with efficiencies.
- 3.3 Critical success factors have been developed from the objectives to encourage non-offending behaviours, delivery of successful enforcement, a consistent level of service, optimisation of resources and financial efficiency. Four plausible scenarios are considered further: continuing with the existing arrangements; grouping the enforcement roles into one team within the Councils; or alternatively grouping them within WRS; and a fourth scenario with associated call handling also grouped together in WRS. This last option would enable full triaging, together with the ability to resolve at 'first point of contact' and was

identified as the best following the cost benefit assessment and risk analysis.

- 3.4 The commercial case goes on to identify how the mechanisms of governance could be delivered through the WRS Joint Board, service standards set out in the Statement of Partner Requirements and how the WRS performance indicators could be enhanced to include enforcement activity as a key component.
- 3.5 As this business case involves only two of the WRS partner authorities it is important to minimise cross subsidisation by the wider WRS budget and how that will be achieved is set out in the financial case which also sets out how the wider benefits of utilising WRS support structures could still be realised. It is important to recognise that the business case assumes that both Redditch and Bromsgrove Councils would endorse the approach.
- 3.6 The service areas of 'enviro-crime' and planning enforcement have also been considered in relation to resource allocation. There is a disparity between the current 'allocated' budget for planning enforcement compared with the actual spend on delivery of the service due to backlogs of case work and increased demand and public expectations. This is discussed further in the business case but represents an annual £23,400 shortfall in salary budget (for Redditch) and is set out as an option to invest in the service to meet the current demand as recommendation 2.
- 3.7 Additionally in Environmental Services the customer service element of the service is split amongst numerous roles and cannot easily be extracted from the current service budget. An additional investment would be required to enable the key triaging element to be included in this business case.
- 3.8 The business case benefits as is presented assumes a level of resource to be transferred to WRS includes that required to meet the current level of Planning Enforcement demand (recommendation 2) and an investment in customer service resource (recommendation 4) which cannot easily be transferred to realise the benefits and level of service expected.
- 3.9 Also considered in detail within the business case, for planning enforcement there is a back log of cases which is causing additional delays. The backlog has been caused by barriers to investigation of cases during the last few years but also by the weaknesses identified. Currently there is a caseload of 254 open enforcement cases (across Redditch and Bromsgrove) with 24% waiting for the initial site visit. The

combined Redditch and Bromsgrove budgeted resource of roughly 3 FTE would not be able to manage this case load, and the currently employed resource of 5.5 FTE is making progress with the cases but understandably there is frustration raised by residents at the delays in the investigation process. An additional resource option is provided as recommendation 3.

- 3.10 Recommendation 3 includes the annual costs associated with an additional 2 officers for a fixed term of two years to reduce the backlog and delays in investigation experienced by residents.
- 3.11 The ‘enviro-crimes’ of fly-tipping, littering and dog fouling are recognised as key concerns for the Council which are supported by the Strategic Purposes (Communities which are safe, well maintained and green) but also by the Council Priorities of reducing crime and disorder and high-quality services. As such, it is recognised that an emphasis on proactive engagement and promotion of responsible behaviours is essential to compliment the enforcement deterrent. Consequently, an option to provide additional resource to support this work is provided as recommendation 5.
- 3.12 For Enviro-crime work any increase in funding would enable an enhanced proactive approach to be taken to influence behaviour through targeted communication and publicity following tactical and strategic assessment to identify nominals, patterns and trends which would benefit from such an approach. This could be ‘boots and posters on the ground’ to provide a visual presence in an area with particular littering issues or a proactive digital monitoring campaign to identify possible offenders who are likely to be fly-tipping, as examples.

4. FINANCIAL IMPLICATIONS

- 4.1 The business case considers the financial implications of the proposal and includes consideration to fund additional enhancements.
- 4.2 The current salary budget for the enforcement roles covered by the business case in Bromsgrove District Council is £152,230 plus supporting costs (training and supplies). This is included within recommendation 1.
- 4.3 The actual salary spend for the enforcement roles covered by the business case in Bromsgrove District Council is £241,700 plus supporting costs (training and supplies). The business case viability is based on this level of salary budget. Recommendation 2 if agreed would fund this level of service.

4.4 Recommendation 3 includes costs to fund 2 additional full-time equivalents to resolve the backlog of planning enforcement cases over a two-year period.

4.5 Recommendation 4 includes costs to fund an additional full-time equivalent to provide an increased level of activity on enviro-crime enforcement.

5. LEGAL IMPLICATIONS

5.1 There are no significant legal implications other than the ability to provide a consistent and intelligence led approach to tackling enforcement matters by a dedicated trained team.

6. OTHER - IMPLICATIONS

Relevant Strategic Purpose

6.1 The proposed action supports the Council's strategic purpose of 'Communities which are safe, well-maintained and green' by providing a service that uses intelligence to prioritise proactive engagement and enforcement where the most significant harm is likely or has been identified in a proportionate and effective way. An effective enforcement function should act as a deterrent to reduce crime and disorder.

Climate Change Implications

6.2 The proposal doesn't have any specific climate change impact.

Equalities and Diversity Implications

6.3 There are no anticipated equalities implications to the proposal.

7. RISK MANAGEMENT

7.1 Recognising the risk to the authority in getting enforcement wrong, both reputationally and financially the business case seeks to deliver a strong service with efficiencies and this report provides options to increase the budget to reduce the harm and reputational damage caused by delayed enforcement.

7.2 The Business case includes a risk assessment of the short-listed options in Table 4.

8. APPENDICES and BACKGROUND PAPERS

Executive Committee
2023

9th January

Appendix 1 – Strategic Outline Business Case: Shared Regulatory Enforcement Service [Exempt item]