COTSWOLD
District Council

Council name	**COTSWOLD DISTRICT COUNCIL**
Name and date of Committee	**CABINET – 01 JULY 2026**
Subject	**PLANNING ENFORCEMENT UPDATE**
Wards affected	All
Accountable member	Juliet Layton - Cabinet Member for Housing and Planning Email: Democratic@Cotswold.gov.uk
Accountable officer	Geraldine LeCointe – Assistant Director of Planning Services Email: Democratic@Cotswold.gov.uk
Report author	Harrison Bowley – Head of Planning Services Email: Democratic@Cotswold.gov.uk
Summary/Purpose	This report provides an update on the performance, staffing, and capacity of the Planning Enforcement Team following the transition of planning services back into the Council in November 2024 and the subsequent PAS Peer Review. It summarises progress against the PAS Action Plan, identifies continuing service pressures including recruitment challenges and backlog management, and sets out the measures underway to improve resilience, service efficiency, and performance. Cabinet is asked to consider the progress made and note the areas where performance remains constrained.
Annexes	None
Recommendation(s)	That Cabinet resolves to: 1. Endorse the Chief Executive's decision under delegated authority (Part C4 of the Constitution and section 112 of the Local Government Act 1972) to establish and appoint to a time-limited Enforcement Leadership role and approve the

	additional budget provision required to fund the role to be funded from the Council's earmarked 'Capacity Building Reserve'.
Corporate priorities	• Delivering Good Services • Responding to the Climate Emergency • Supporting Communities
Key Decision	NO
Exempt	NO
Consultees/ Consultation	No formal consultation has been undertaken as this report is providing an update on the enforcement function. Previously, a Members Briefing has been held including discussion of enforcement priorities and constraints. Feedback and discussions from this briefing and fed into updates to the enforcement service.

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1. BACKGROUND

1.1 The Planning Enforcement service has undergone significant transition since planning functions were brought back into the Council in November 2024. The PAS Peer Review undertaken in Spring 2025 highlighted longstanding capacity constraints, a large inherited backlog, recruitment difficulties at senior levels, and under-utilised ICT systems.

1.2 Since then, the service has made measurable progress including the creation of a new administrative post, improvements to workflow efficiency, and the creation of an additional Enforcement Officer post. However, staffing pressures remain acute at senior level. Recruitment of staff, particularly experienced officers, continues to present a significant challenge. Four recruitment campaigns undertaken between November 2024 and January 2026 for permanent Senior or Principal Enforcement Officers resulted in no appointable candidates for either role.

1.3 To maintain continuity, governance and timely decision-making on complex and high-profile cases, the Council has therefore continued to rely on agency senior cover, which can reduce continuity and is more costly than permanent staffing. Current agency support comes at an additional cost of £55,604 beyond the establishment budget, per annum.

1.4 Alongside recruitment challenges, periods of reduced capacity (including sickness absence and vacancies) have constrained the team's ability to progress both service improvement work and lower-priority historic cases at the intended pace.

1.5 Demand for the service remains sustained. The historic backlog, which comprises cases received on or before 31st December 2024, has reduced from 464 to 416 cases in 2025/26; however, the overall live caseload has increased to 684, as new reports continue to enter the system. Key service improvements, including the revised Local Enforcement Plan, enhanced Member engagement, and the initiation of process-mapping and digitisation work, are underway, but the pace of both backlog reduction and transformation activity has been constrained by limited capacity and a lack of consistent senior continuity.

1.6 In response to continued challenges and in order to accelerate delivery of the remaining PAS Action Plan objectives, it is proposed to create a dedicated, time-limited leadership role within Planning Service, focused on service redesign, digital innovation, improved use of ICT, performance reporting and implementation of the revised Local Enforcement Plan. The role would be undertaken by an experienced contractor with

specific expertise in planning enforcement, planning service transformation and change delivery. This additional capacity would allow service improvement work to progress at pace without diverting enforcement officers from frontline casework, backlog reduction and priority investigations.

1.7 The role would support the delivery of improved workflows, enhanced Member engagement and more effective use of case management systems, with the aim of strengthening service resilience, improving consistency and enabling more efficient case management. Whilst the benefits are not readily quantifiable, the role is expected to accelerate system improvements and allow technical officers to focus on complex casework.

2. FINANCIAL IMPLICATIONS

2.1 Following the Phase 1 transition of Planning Services from Publica, four enforcement posts transferred back to the Council at an annual cost of £198,000. The subsequent service restructure increased the establishment to six posts, with a current annual cost of approximately £299,000.

2.2 In order to support the proposed time-limited leadership role set out in paragraphs 1.6–1.7, further budget provision will be made available from the Council's Capacity Building Reserve. Due to the specialist nature of the role and the need to recruit without delay to ensure maximum impact during the remaining time the council has left, the decision has been taken to recruit a consultant rather than seek a fixed term contract. To recruit to on an agency basis it is estimated that the annual cost would be up to £700 per day (not including VAT) totalling £154,000 per annum.

2.3 Whilst there is adequate headroom in the Capacity Building Reserve following the final 2025/26 transfer to the earmarked reserve, utilisation of the reserve for the Planning Enforcement role will obviously mean there is less headroom to support future capacity demands. Whilst outside the scope of this report, it is worth stating for assurance purposes that the adequacy of the Building Capacity reserve will be addressed as part of the 2027/28 Balances and Reserves Strategy and budget setting process.

2.4 This additional investment reflects the need for dedicated specialist capacity to accelerate delivery of the remaining PAS Action Plan objectives and wider service improvements, without diverting existing enforcement officers from frontline casework, backlog reduction and priority investigations. Whilst time-limited, the role

is intended to accelerate system and process improvements and support more efficient use of existing staff resources.

2.5 Any further investment requirements arising from this work, including wider digitisation or system enhancements, would be subject to the Council's normal governance, budget and business case processes.

3. ALTERNATIVE OPTIONS

3.1 This decision has been made under the Chief Executive's delegated authority (Part C4 of the Constitution and section 112 of the Local Government Act 1972). Members are invited to endorse the decision which has already been made.

3.2 In the absence of this additional resource, the enforcement service would continue to deliver service improvements alongside day-to-day operational work at the current, gradual pace. Based on current capacity, this is forecast to result in backlog clearance over a period of approximately two years, with internal process and system improvements anticipated to take between 12 and 18 months.

4. LEGAL IMPLICATIONS

4.1 The Council is the local planning authority for its administrative area and has statutory powers under the Town and Country Planning Act 1990 to respond to breaches of planning control. A breach of planning control includes the carrying out of development without the required planning permission or failing to comply with a condition or limitation attached to a planning permission.

4.2 Planning enforcement action is discretionary. The Council must consider whether it is expedient and proportionate to take formal action, having regard to the development plan and any other material considerations, including the public interest and the planning harm arising from the breach. Not every breach of planning control will justify formal enforcement action, and informal resolution or no further action may be appropriate where there is no material planning harm or where action would not be proportionate.

4.3 There are statutory time limits for taking enforcement action. Under section 171B of the Town and Country Planning Act 1990, certain breaches may become immune from enforcement action if no action is taken within the relevant period. Since 25 April 2024, the general position in England is that a ten-year period applies to most breaches, although transitional arrangements mean that earlier four-year periods may still apply

to some operational development and changes of use to a single dwellinghouse that took place before that date. Delay in identifying, investigating or escalating cases may therefore create legal risk where a breach is approaching immunity.

4.4 The revised Local Enforcement Plan, triage process, backlog strategy and improvements to case recording are intended to support lawful, consistent and proportionate decision-making, including the timely identification and escalation of urgent cases, high-harm cases and cases where statutory time limits may be relevant. The Council is also required to maintain a register of certain formal enforcement notices and related enforcement action.

4.5 There are no known specific legal implications arising from this report.

5. RISK ASSESSMENT

5.1 Although the recommendations are for noting, there are significant operational, legal, financial and reputational risks associated with the planning enforcement function. These include continued backlog growth, delay in progressing investigations, loss of public confidence, failure to act before statutory time limits expire, increased complaints, and continued reliance on agency resource. The improvement programme, revised Local Enforcement Plan, backlog strategy and enhanced monitoring arrangements are intended to mitigate these risks, but the level of residual risk remains linked to sustained staffing stability and successful implementation of system improvements.

6. EQUALITIES IMPACT

6.1 The recommendations in this report relate primarily to internal operational improvements and staffing changes. No negative equality impacts have been identified.

6.2 The updated Local Enforcement Plan will include clear guidance on consistent, fair, and transparent decision-making to ensure enforcement activity is applied equitably across all communities. An Equalities Impact Assessment will be completed as part of the adoption process for the revised Plan.

7. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS

7.1 None identified.

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8. BACKGROUND PAPERS

8.1 The following documents have been identified by the author of the report in accordance with section 100D.5(a) of the Local Government Act 1972 and are listed in accordance with section 100 D.1(a) for inspection by members of the public:

- Overview and Scrutiny – Tuesday 8 July 2025 (OS.212)
- Cabinet – Thursday 10 July 2025
- Council – Wednesday 31 July 2024

8.2 These documents will be available for inspection online at www.cotswold.gov.uk or by contacting democratic services democratic@cotswold.gov.uk for a period of up to 4 years from the date of the meeting.

9. CONCLUSION

9.1 It is recommended that Cabinet endorses the Chief Executive's decision under delegated authority (Part C4 of the Constitution and section 112 of the Local Government Act 1972) to establish and appoint to a time-limited Enforcement Leadership role and approve the additional budget provision required to fund the role to be funded from the Council's earmarked 'Capacity Building Reserve'.

(END)