



Council name	<b>COTSWOLD DISTRICT COUNCIL</b>
Name and date of Committee	<b>OVERVIEW &amp; SCRUTINY COMMITTEE – 29 JUNE 2026</b>
Subject	<b>PLANNING ENFORCEMENT UPDATE</b>
Wards affected	All
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Summary/Purpose	<p>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.</p> <p>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.</p> <p>The Overview &amp; Scrutiny Committee is asked to consider the progress made, note the areas where performance remains constrained, and provide any recommendations on the proposed next steps.</p>
Annexes	Appendix A – Response to Local Government and Social Care Ombudsman’s February 2026 report.
Recommendation(s)	That Overview and Scrutiny Committee resolves to: 1. Note progress made in implementing the PAS Peer Review recommendations, particularly regarding staffing, backlog



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	<p>management, and the development of the revised Local Enforcement Plan.</p> <p>2. Note any comments or recommendations on the future direction of the Enforcement Service, particularly regarding resourcing and prioritisation.</p>
Corporate priorities	<ul style="list-style-type: none"><li>• Delivering Good Services</li><li>• Responding to the Climate Emergency</li><li>• Supporting Communities</li></ul>
Key Decision	NO
Exempt	NO
Consultees/ Consultation	<p>No formal consultation has been undertaken as this report is providing an update on the enforcement function.</p> <p>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.</p>



## **1. EXECUTIVE SUMMARY**

- 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 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. A new administrative post has been recruited to, improving workflow efficiency, and an additional Enforcement Officer started in March 2026. However, staffing pressures remain acute at senior level: four recruitment campaigns between November 2024 and January 2026 for permanent Senior/Principal Enforcement Officer roles resulted in no appointable candidates. 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. Alongside this, 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.
- 1.3** Demand remains sustained. The historic backlog has reduced from 464 to 400 cases; however, the overall live caseload has increased to 684 including the backlog, 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.
- 1.4** The purpose of this report is to update Overview & Scrutiny Committee on progress against the PAS Action Plan, highlight continuing pressures, and set out the steps required to build service resilience. It also summarises how the service is responding to the Local Government and Social Care Ombudsman's February 2026 report (Appendix A), using the Ombudsman's scrutiny questions to strengthen triage, prioritisation, case governance and performance monitoring.
- 1.5** Looking ahead, finalising and implementing the revised Local Enforcement Plan (late Spring / early Summer 2026) and stabilising staffing levels are expected to bring more consistent and efficient case handling. However, Members should note that meaningful and sustained reduction of both backlog and total caseload will depend on sustained staffing stability (including senior oversight) and delivery of the identified process and ICT improvements.



## 2. BACKGROUND

- 2.1** In November 2024, Planning Services transferred from Publica back into Cotswold District Council, following approval of the Transition Plan in July 2024. A key objective of this move was to strengthen recruitment, staff retention, and operational performance within the Planning Enforcement Team.
- 2.2** Following the transition, the Planning Advisory Service (PAS) undertook a Peer Review of the planning service. The review identified strong staff commitment, but raised concerns about enforcement capacity, the scale of the backlog, and constraints caused by long-term recruitment difficulties. PAS recommended increasing enforcement resources, improving the team structure, updating the Local Enforcement Plan, and creating more structured engagement between officers and Members to set realistic priorities.
- 2.3** Further to the PAS Peer Review, an Action Plan was created in order to ensure the practical implementation of the review recommendations. For Enforcement, the Action Plan set out the following actions:

<b>Action</b>	<b>Description</b>	<b>Target</b>	<b>Outcome</b>
Extend agency contracts for temp staff	Extend existing agency contracts to ensure staffing levels are maintained whilst a recruitment strategy and team structure are reviewed.	Summer/Autumn 2025	Extensions were offered and accepted, maintaining existing resource levels.
Review enforcement structure	Review the team structure including the teams capacity.	Summer/Autumn 2025	A comprehensive review and re-structure was undertaken in Summer 2025 and partially implemented in Autumn 2025. The service has continued to be unable to recruit to senior and principal posts on a permanent basis.
Review and update local enforcement plan	Review the Enforcement Plan, which had not been updated for a number of years.	Summer 2025	A full review of the enforcement plan was undertaken in Summer 2025. This has fed into a



			new plan which is nearing the point of adoption, expected early Summer 2026.
Undertake enforcement complaint analysis	Review the nature of enforcement complaints to better understand the origin and trends within reported breaches.	Autumn 2025	An analysis of complaints was undertaken in Summer 2025, informing the team structure and backlog strategy.
Agree an enforcement backlog clearance strategy	Address the backlog with a dedicated clearance plan.	Summer 2025	A backlog strategy was agreed in Autumn 2025 – delayed owing to the team re-structure and challenges with recruitment.
Process map enforcement function and maximise ICT	Map the enforcement process from beginning to end and identify pain points and opportunities to enhance IT usage and streamline processes.	Autumn 2025	Process mapping for the enforcement service was completed in Spring/Summer 2025.
Enforcement training for officers and Members	Undertake enforcement training for the wider planning team and Members to ensure full understanding of the functions of the service.	Autumn 2025	A training session was undertaken in September 2025.

### **3. Progress following Phase 1 Transition and PAS Peer Review**

#### *Recruitment, Staffing and Team Structure*

**3.1** The Enforcement Team has faced significant recruitment challenges for several years, resulting in prolonged periods where the team has been understaffed and reliant on costly agency support where there is a high turnover of staff. This issue has extended for a number of years, and is not unique to the Cotswolds, with enforcement teams across Gloucestershire and further afield struggling to recruit enforcement staff. To



address this, a review of the team structure was undertaken, along with a review of team capacity and recruitment opportunities.

**3.2** A full review of the team structure in early 2025 identified two priority areas for improvement:

- **Administrative Capacity:** Previously, enforcement officers were carrying out administrative tasks such as case creation, data management, performance reporting and supporting appeals. The absence of dedicated admin support reduced officer efficiency and diverted capacity away from casework. A new administrative role was created and successfully recruited to in January 2026, which is already helping improve workflow and reduce officer time spent on non-specialist tasks.
- **Officer-Level Capacity:** Analysis showed the service consistently receives around 300 reported breaches each year but only had capacity to deal with around 60% of them. To address this mismatch, an additional Enforcement Officer post was created. Recruitment at officer level proved more successful than previous attempts at senior levels, resulting in a strong appointment who joined the team in March 2026. It is recognised that this additional post will not fully resolve the capacity shortfall identified. However, the extra resource, combined with planned efficiencies in processes and systems, is intended to form part of a broader package of improvements designed to address the service's capacity challenges.

**3.3** 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. To address this, the Council has taken a deliberate decision to extend agency contracts until August 2026 in order to maintain service continuity, manage risk and ensure timely decision-making on high-profile and sensitive cases.

**3.4** Agency cover is more costly than permanent recruitment, but the alternative would be an unacceptably reduced ability to respond to priority breaches, oversee complex investigations, and support effective case governance. In the absence of permanent senior staff, agency contractors are being used to provide experienced professional oversight, maintain consistency of approach, and to train and mentor less experienced team members while a further permanent recruitment approach is reviewed.



- 3.5** The additional officer post and administrative support will improve resilience and efficiency, but they do not in themselves remove the structural mismatch between demand, backlog and available specialist capacity.
- 3.6** Continued reliance on agency contractors presents challenges for case continuity, as well as additional staffing costs. A recent example involved a lower-priority breach of advertisement control. At the time of writing, the case has been allocated to a third senior officer due to turnover in agency senior cover. Each change in case officer required the incoming officer to review the case history, familiarise themselves with previous correspondence, re-establish contact with the complainant and site owner, and form their own assessment of the planning harm and appropriate next steps.
- 3.7** This results in significant duplication of work and delay. The issue is compounded by the short notice periods often associated with agency arrangements, which can limit the opportunity for structured handover or detailed case notes beyond those already held on the case management system. This example demonstrates how reliance on temporary senior capacity can affect even relatively straightforward cases, with the potential impact being greater in complex, sensitive or high-profile cases. While agency support remains necessary in the short term, continued reliance on this model can carry an ongoing risk to timely, consistent and efficient case management.

#### *Performance and Backlog Clearance*

- 3.8** At the time of the PAS Review in 2024/25, the service held a substantial backlog of enforcement cases. By August 2025, there were 607 live enforcement cases which has risen to 684 at the start of the 2026/28 financial year. Of these live cases, 464 were classified as backlog cases. For the purposes of the Backlog Clearance Strategy, backlog cases were identified as enforcement cases received on or before 31 December 2024. A further 131 enforcement notices also required periodic monitoring and follow-up.
- 3.9** A Backlog Clearance Strategy was developed to provide a structured approach to reducing the historic caseload. The strategy proposes a triage-based method of review, including clearer case categorisation, prioritisation according to planning harm and urgency, and targeted officer time to progress older cases in a consistent and risk-based way.
- 3.10** However, implementation of the Backlog Clearance Strategy has been constrained by capacity and continuity issues. During 2025/26, the service experienced:
- three different agency senior officers rotating through the team, reducing continuity;



- long-term sickness absence;
- periods where the team was operating at less than 50% capacity.

- 3.11** As a result, officers have had to prioritise new, urgent and high-priority cases to ensure that the most harmful and time-sensitive breaches are addressed. This has meant that progress on some older and lower-priority cases has been slower than intended because the team has not had the capacity to deal with them.
- 3.12** Given the current level of demand, inherited backlog and continuing constraints on senior capacity, the service is operating on a risk-based model. This means that available officer resource is prioritised towards cases involving the greatest actual or potential planning harm, including works to listed buildings, protected trees, significant harm to amenity or the environment, high-profile or complex cases requiring senior oversight, and cases where statutory time limits may be relevant. Lower-priority and historic cases will continue to be progressed with the objective of reducing the outstanding caseload over time. However, the pace of progress will necessarily be affected by available capacity and the need to ensure that urgent, high-harm and time-sensitive matters are addressed first. This approach reflects the discretionary and proportionate nature of planning enforcement and will be formalised through the revised Local Enforcement Plan and Backlog Clearance Strategy.
- 3.13** This risk-based approach is particularly important because some breaches of planning control may become immune from enforcement action if no action is taken within the relevant statutory time period. The risk is heightened where older cases have not yet been fully reviewed, where case records are incomplete, or where the date of substantial completion or commencement of a use is unclear. The revised Local Enforcement Plan, improved triage arrangements and clearer case monitoring are intended to strengthen the Council's ability to identify and escalate cases where statutory time limits may be relevant.
- 3.14** Despite the capacity pressures set out above, the backlog has reduced from 464 to 400 cases. However, the overall live caseload has increased to 684 as new cases continue to enter the system. This demonstrates that, while progress has been made in reducing the historic backlog, the service continues to experience sustained demand and the Backlog Clearance Strategy has not yet been implemented at full pace.
- 3.15** The service has maintained some control of higher-priority and higher-harm cases and has achieved some backlog reduction despite significant staffing constraints. However, progress on some historic and lower-priority cases remains constrained, and meaningful reduction of the overall caseload will depend on improved staff capacity



and continuity, consistent senior oversight, improved case recording and implementation of the Backlog Clearance Strategy.

- 3.16** Once the team reaches a more stable staffing position the service intends to implement the Backlog Clearance Strategy more fully. This will involve structured triage and prioritisation aligned with the revised Local Enforcement Plan, supported by clearer recording, monitoring and performance oversight. The objective will be to systematically reduce historic cases while maintaining sufficient capacity to respond to new, urgent, high-harm and time-sensitive reports.

#### *Process Mapping and IT Enhancement*

- 3.17** During summer 2025, a full process-mapping exercise was completed across the Planning Service. This highlighted inefficiencies within enforcement workflows, largely due to under-utilisation of the case management system and reliance on outdated, manual processes. Officers also identified several pain points, including inconsistent case categorisation, limited reporting functionality, and duplicated administrative steps. Furthermore, owing to limited access to data, reporting on performance relied on manual data analysis, based on limited information.
- 3.18** One of the objectives arising from the PAS review included undertaking enforcement complaint analysis. Whilst undertaken, the outcome offered limited insight owing to the limited nature of the existing case categorisation systems.
- 3.19** Although the process-mapping exercise completed in summer 2025 identified a number of opportunities to streamline workflow and make better use of case management software, progress in implementing these improvements has been limited. Capacity pressures over the past year, including long-term vacancies at senior levels, reliance on agency cover, and periods where the team operated at less than 50% strength, have meant officers have been focused on essential casework rather than service transformation. As a result, most identified process and ICT improvements remain outstanding and will require renewed attention once the team reaches stable staffing levels. The revised Local Enforcement Plan is intended to set the agreed workflow expectations and data requirements first, so that subsequent ICT configuration and automation can be implemented consistently and sustainably.

#### *Enforcement Plan and Member Engagement*

- 3.20** A full review of the Council's Local Enforcement Plan (LEP) has been undertaken as part of the post-transition improvement programme. A revised draft Plan has been prepared, reflecting updated legislation, clearer prioritisation criteria, and a more transparent explanation of how planning breaches are assessed, triaged and



investigated. The revised LEP is currently undergoing internal review and is expected to be finalised and implemented in late Spring / early Summer 2026, subject to Member sign-off. Implementation will also coincide with work to enhance access to enforcement information on the Council's website, improving clarity for residents, applicants and Members about how the service operates.

**3.21** Alongside the Plan review, Member engagement has been strengthened to improve understanding of the enforcement function and its statutory limitations. A Member Briefing was held in September 2025, providing an overview of typical case types, the investigation process, resource pressures, and the longstanding challenges associated with recruitment and backlog management. Options for further Member engagement are currently under review to ensure Members can receive appropriate, lawful and useful levels of insight into service performance and priorities. It is intended to build upon the 2025 briefing with annual Member enforcement briefings taking place in September.

#### *Service Improvement Capacity*

**3.22** 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 Enforcement 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.

**3.23** 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.

#### *Further considerations*

**3.24** Following the publication of the PAS Report and Action Plan, further local and national changes have influenced the Enforcement Service. In February 2026, the Local Government and Social Care Ombudsman published its report "Losing control: complaints about planning enforcement", highlighting the increased risk of upheld



complaints where enforcement teams are under-resourced, backlogs are not actively managed, and cases drift without clear oversight, recording and prioritisation. In response, officers have reviewed the scrutiny questions set out in the Ombudsman's report (summarised at Appendix A) to test the Council's arrangements and identify where further strengthening is required. This has directly informed the approach being implemented through the revised Local Enforcement Plan and wider service improvement work, including: clearer triage and published priority categories; more realistic target timescales and investigation stages; improved differentiation between reported breaches and formal complaints; strengthened arrangements for identifying urgent/significant cases; and a renewed focus on data, monitoring and governance to reduce the risk of delay and loss of control.

**3.25** Appendix A sets out the Council's responses against each of the Ombudsman's scrutiny questions and provides additional detail on how the service is addressing identified risks and recommendations.

#### **4. ALTERNATIVE OPTIONS**

**4.1** Not Applicable.

#### **5. FINANCIAL IMPLICATIONS**

**5.1** There are no direct financial implications arising directly from this report. 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. 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.

**5.2** This additional budget provision arises from 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 the time-limited Enforcement Leadership role. The decision is recommended to be endorsed by Cabinet in July.

#### **6. LEGAL IMPLICATIONS**

**6.1** 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.

- 6.2** 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.
- 6.3** 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.
- 6.4** 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.
- 6.5** There are no known specific legal implications arising from this report.

## **7. RISK ASSESSMENT**

- 7.1** 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.



## **8. EQUALITIES IMPACT**

- 8.1** The recommendations in this report relate primarily to internal operational improvements and staffing changes. No negative equality impacts have been identified.
- 8.2** 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.

## **9. CLIMATE AND ECOLOGICAL EMERGENCIES IMPLICATIONS**

- 9.1** None identified.

## **10. BACKGROUND PAPERS**

- 10.1** 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
- 10.2** These documents will be available for inspection online at [www.cotswold.gov.uk](http://www.cotswold.gov.uk) or by contacting democratic services [democratic@cotswold.gov.uk](mailto:democratic@cotswold.gov.uk) for a period of up to 4 years from the date of the meeting.

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