



COTSWOLD
District Council

OVERVIEW & SCRUTINY COMMITTEE – 29th June 2026

PLANNING ENFORCEMENT UPDATE

Appendix A – Response to Local Government and Social Care Ombudsman's February 2026 report.

1. Response to Local Government and Social Care Ombudsman's February 2026 report – Questions for councillors and heads of service

1.1 The report invites local councillors and service leads to "*play a vital role in scrutinising their local planning enforcement services.*" The report asks the following questions, with the Council's answers set out below:

Does your Authority:

1. Have a planning enforcement policy with realistic, but robust, time targets?

1.2 The Council's Local Enforcement Plan (LEP) had not been updated for a number of years. It contained target timescales that were not achievable in the context of current service pressures and did not provide sufficient clarity for people reporting alleged breaches, or for those who are subject to investigation. Following a full review, a revised Local Enforcement Plan was drafted during 2025 and has been taken through internal review.

1.3 The revised LEP is currently at final draft stage and is expected to be implemented in late Spring / early Summer 2026, subject to Member sign-off. It sets out clearer investigation stages, more realistic target timescales, and a triage and prioritisation framework. The intention is for this to be supported by improvements to internal systems, enabling clearer workflows, monitoring and reporting; however, resourcing constraints have limited the pace of wider process change to date.

2. Have a policy and procedures that refer to people making 'reports' about breaches of planning rather than 'complaints'?

1.4 The review of the previous enforcement plan identified the use of the term 'complaint' or 'complainant' throughout. The new LEP addresses this by referring instead to 'reports' and 'reported breaches'. It is important that enforcement investigations are clearly differentiated from the Council's corporate complaints process.

3. Have officers who understand the difference between a service request and a complaint?

1.5 Council staff understand the difference between service requests (for example, reports of potential breaches of planning control) and corporate complaints. The Council has a clear complaints process for situations where service users wish to raise concerns about the quality of service they have received, and officers understand and engage with that process. The LEP has been updated to reflect this approach clearly.

4. Have systems in place to identify significant matters needing urgent attention?

1.6 Until now, the enforcement team has not had the ability to identify significant or high-priority breaches consistently and efficiently. The team immediately identifies works to listed buildings and protected trees as urgent; however, beyond these categories,

systems have not previously existed to support clear and consistent case categorisation.

- 1.7** In response, the new LEP introduces a triage process so that reported breaches are reviewed at the start of the process to identify: whether a breach appears to have occurred; whether sufficient information is available to investigate; and what priority level the investigation will be assigned. Priority categories will be published within the LEP for transparency, and internal systems will record priorities for monitoring and reporting purposes.

5. Ensure it acts before statutory time limits expire?

- 1.8** Officers will prioritise cases that may be approaching immunity by virtue of statutory time limits. Based on current case-handling arrangements, there is nothing to suggest a systemic issue whereby breaches routinely become immune due to avoidable delay; however, the Council recognises that this is a key risk area and requires active oversight.
- 1.9** To strengthen this further, the Council is improving case recording, monitoring and reporting so that potential time-limit risks can be identified and escalated consistently, particularly where evidence is required and immunity dates may be relevant.

6. Consistently check its decision making is effective and compare its performance with other authorities via Key Performance Indicators?

- 1.10** The Planning Service Plan includes key performance indicators (KPIs) relating to the speed and quality of enforcement investigations. This was not previously the case but was updated as part of the PAS Action Plan. The intention is now to prepare a robust suite of performance management tools to monitor performance going forward.
- 1.11** Access to data has been, and remains, a significant barrier to effective performance management. By progressing internal system improvements, the intention is also to enable more reliable performance monitoring and reporting.
- 1.12** Comparison with other LPAs is more challenging. As noted previously, it is not uncommon for LPAs to have under-resourced enforcement departments, including backlogs. In addition, due to data protection requirements and the integrity of ongoing investigations, public reporting of live enforcement performance is not common. There is no national requirement to publish enforcement performance data and there is no nationally standardised reporting mechanism (as there is with Development Management PS2 returns, for example). Government guidance requires LPAs to keep a public register of enforcement and stop notices, and states that LPAs

should consider publishing a local enforcement plan; beyond that, broader performance reporting is discretionary and locally designed.

1.13 Ultimately, whilst effective performance management and reporting against agreed KPIs is essential, direct comparison against other LPAs is not straightforward in practice.

7. Have systems to ensure timescales are adhered to when work passes between different departments?

1.14 The Council does not currently have Service Level Agreements in place to manage work across different departments. As such, matters are handled on a case-by-case basis. From the system reviews undertaken to date, there is limited evidence to suggest that cross-department working is a material barrier to effective planning enforcement, and teams have a strong track record of successful collaborative working where required.

8. Ensure it has sufficient staff and resources to deal with workloads?

1.15 A lack of staff and resources has been a prolonged issue within the Planning Enforcement Team, resulting in periods where the service has been significantly below establishment and reliant on agency support. Recruitment has been particularly challenging at senior levels.

1.16 As set out in the main report, the Council has strengthened capacity by recruiting to a dedicated administrative post (January 2026) and appointing an additional Enforcement Officer (March 2026). The additional administrative capacity is intended to reduce time spent on non-specialist tasks and support improved case recording, monitoring and reporting.

1.17 Notwithstanding these improvements, the service continues to face capacity pressures, particularly when managing both new reports and the inherited backlog. The revised LEP and the Backlog Clearance Strategy are intended to support a transparent approach to triage and prioritisation, recognising that enforcement action is discretionary and resources must be focused on the most harmful or urgent breaches.

9. Have processes to check how competitive its salary offer is?

1.18 Recruitment continues to be managed through the Publica Recruitment Team, with pay and grading set through the Council's HR policies. The Council does not currently operate a specific, formal process within the enforcement function to benchmark salary offers against the wider market, beyond its established pay and grading arrangements.

10. Have contingency plans to deal with any caseload backlogs?

1.19 A Backlog Clearance Strategy has been prepared, including a structured triage approach. Once resources and continuity are in place, the team will be able to implement the strategy more consistently. At present, whilst officers undertake periodic targeted work on older cases, the primary focus has remained on handling new and high-priority cases.

11. Have protocols for dealing with issues that could be covered by other authorities or bodies?

1.20 Cotswold District Council has established working relationships with relevant authorities and bodies to help ensure that matters are directed to the most appropriate organisation. As part of the triage process, officers will consider at the outset whether another authority or body is better placed to lead an investigation, and will signpost or refer where appropriate.

12. Regularly check its work practices and procedures are fit for purpose and up-to-date?

1.21 New and updated policies and procedures (including the LEP) include governance and monitoring arrangements to enable regular review and, where necessary, updating.

13. Have a system in place to ensure its equipment and software meet their intended purposes?

1.22 At the time of writing, the systems and software that support the planning enforcement function are limited and require modernisation. Work is ongoing to address this, using a three-stage approach: first, maximise the capability of existing systems; second, upgrade existing systems with compatible hardware and software (for example, internet-enabled tablets and Idox on-site functionality); and third, explore opportunities for more innovative solutions (such as through the Open Digital Planning network).

1.23 Progress on the first stage is underway but has been limited due to resource constraints within the team.