

Subject: Enforcement Group – Progress Update

Report to: ELT, Monday 12th November 2018
Policy and Resources Committee, 8th January 2019

Report by: Kate Watts, Strategic Director

OVERVIEW/RECOMMENDATIONS

This paper presents to the Members of the Council's Policy and Resources Committee progress of the Council's Enforcement Group, as part of its business strategy.

The progress detailed within this report includes;

- A detailed 18/19 work plan for the Enforcement Group
- A summary of properties, actions and progress in relation to the Operational Property Enforcement Task Group
- A dashboard of performance measures in relation to this work

This Committee is asked to note the content of this report.

1. INTRODUCTION

1.1 The Enforcement Group was created in 2017. Beneath this group sits an Operational Property Enforcement Group (OPEG) which focuses predominantly on empty homes and businesses, alongside complex enforcement matters.

1.2 The Enforcement Group has terms of reference and develops an annual work programme which can be seen at Appendix 1. Essentially this group deals with

strategic cross cutting enforcement issues which affect a number of services across the Council.

1.3 In January 2018 Members of the Council's Policy and Resources Committee resolved to allocating funding of £80,000 to support the appointment of;

- 1 FTE to undertake joint enforcement activities across Building Control, Planning, Conservation and Environmental Health and
- 1 PT (20 hours a week) to undertake positive engagement with property owners

1.4 Subsequently a part time Property Enabling Assistant has been appointed to work on behalf of the Operational Property Enforcement Group with the aim of resolving complex issues and liaise positively with owners of properties/businesses listed with OPEG.

1.5 Unfortunately due to recruitment issues the enforcement officer post is in its second round of recruitment, with interviews scheduled for the end of November 2018.

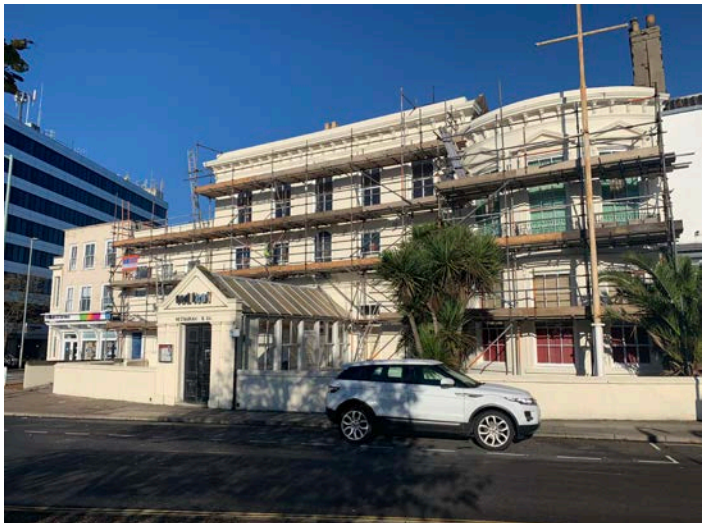
2. PERFORMANCE

2.1 Performance of the Enforcement Group is detailed within its work plan, which is reviewed at every monthly meeting (see Appendix 1). In addition to this the work of the OPEG is monitored through its case list. Appendix 2 provides an overview of the current list.

2.2 To further monitor the progress of the Enforcement Group and the OPEG a suite of performance measures are reported to this Committee. See Appendix 3 for this information. Progress with these measures for July to September has been slow, but performance is now increasing since the appointment of the new officer and it is hoped that improved performance in relation to quarter 3 will be apparent.

3. CASE STUDIES

- 3.1 Although progress against the performance measures has been slow, the OPEG has delivered some high profile outcomes as detailed within the following case studies
- 3.2 **Case Study 1;** Red Leaf China Diner was a property identified by the Enforcement Group to consider, due to its prominent position along Hall Quay, Great Yarmouth.
- 3.3 As part of working with this property, advice was given to the owner of the premises and supported through the service of a formal notice. As a direct result of this activity the outside of this property has been transformed – see the following before and after pictures. An application to the Shop Front Improvement Grant has been received but has not yet been determined.



- 3.4 **Case study 2;** 82 Lower Cliff Road, Gorleston is a mid-terraced property that was fire damaged in November 2016 which left the building with nothing but walls. Work from different members of the group led to the sale of this property to a new buyer who has purchased this property with the intention to make it their home in the future. A structural engineer has been consulted on whether this property is repairable or requires demolition. The group shall

continue to monitor the progress of this property as it is demolished/developed.



4. TARGETTED AREA AUDIT

- 4.1 As previously requested by the Members of the Council's Policy and Resources Committee, area based enforcement audits are now being progressed. Currently work has commenced with regards to completing a targetted audit of Roman Place and the surrounding area. Outcomes of this will be published in the next reporting period.

5. BUDGETARY SPEND

- 5.1 A budget of £50,000 has been allocated to the Enforcement Group to spend as required to progress property based enforcement issues. A total spend of £3,997.80 has been allocated to carry out works in default due to non-compliance with notices and issue a Public Space Protection Order, leaving a remaining budget of £46,002.20.

6. CONCLUSIONS

- 6.1 The activity as part of the Enforcement Group and Operational Property Enforcement Group continues to happen at both strategic and operational levels across the Council, as presented in the attached appendices. The work

of the group will be aided by additional resource via the Property Enabling Assistant and Multi-disciplined Enforcement Officer, once in post.

Area for consideration	Comment
Monitoring Officer Consultation:	N/A
Section 151 Officer Consultation:	Member of the enforcement group
Existing Council Policies:	N/A
Financial Implications:	Yes – re reserve funding and compulsory purchase funding
Legal Implications (including human rights):	Yes – Nplaw form part of the enforcement group and operational property task group
Risk Implications:	N/A
Equality Issues/EQIA assessment:	N/A
Crime & Disorder:	N/A
Every Child Matters:	N/A

Enforcement Group Workplan 18/19

Activity	Lead Officer	Outcome of Work/KPI's	Progress to Date	Completion Date	Status
Review of Nplaws ability to support enforcement issues, concerns raised regarding; <ul style="list-style-type: none"> • Level of support • Consistency of support • Timeliness of responses • Ability to think "outside of the box" 	Karen Sly	Improvement in service provided by Nplaw is sought, KPI's are to be developed as part of the work with Nplaw; proactive and timely legal support for individual projects and cases; improved system for actions being taken.	Raised issues with Abdus Choudhury and Caroline Whatling.	March 19	Ongoing
Review of external partnerships re enforcement to include; <ul style="list-style-type: none"> • Mapping existing partnerships to include purpose, outcomes and GYBC resources • To consider smarter ways of working in partnership & reduce duplication 	Neil Shaw	To strengthen partnership working to be clear on purpose and outcomes and to reduce duplication of meetings	Initial report presented to Management Team on 3/9/18 for comment and to complete partnership table, follow up email sent to MT on 6/9/18. This work is now complete but it has triggered a further piece of work to map key projects related to each of the partnerships for a further report back to ELT on how we can better support our most important partnerships. The timescale for this should be Dec 2018	1 st stage September 2018 2 nd stage February 2019	Complete Ongoing

Activity	Lead Officer	Outcome of Work/KPI's	Progress to Date	Completion Date	Status
Completion and Member sign off of ASB Strategy and ASB Policy	Kate Watts	Clear strategy in place to tackle ASB and a clear policy on how the Council operationally with do this, KPI's to be detailed as part of this work	Officer meeting held and a 1 st draft strategy and policy has been circulated to this group for input. ELT to review completed strategy & policy 12 th November 2018.	December 2018	Completed
A review of rough sleeping and tent sleeping in the Borough with consideration to Policy changes as appropriate	Trevor Chaplin	An approved Homelessness & Rough Sleeping Strategy, KPI's are as follows; Number of true rough sleepers in the borough (monthly count/estimate).	Draft strategy going to H & N Committee in September asking to formally start a 4 week consultation period around this. Sign off of final policy required in December 2018.	March 2019	Ongoing
Review of gypsy and traveller issues to include the Gapton site	Trevor Chaplin and Grizelle Britton	To enable efficient and appropriate management of the Gapton Hall Gypsy & Traveller site.	<p>Management transferred to Norfolk & Suffolk Gypsy, Roma & Traveller Service (NSGRT) from April 2017 .</p> <p>Legal Action commenced to prevent interference in site management from outside agents – June 2016.</p> <p>Legal action taken against residents not complying with tenancy conditions including non-occupation and non-payment of rent. – June 2016 to present day</p>	March 2019	Ongoing

Activity	Lead Officer	Outcome of Work/KPI's	Progress to Date	Completion Date	Status
Consideration to area based enforcement re visual amenity and untidy land, to feed into the OPEG once new officers are in post to include a review of how GYBC uses its environmental crime powers to include consideration of littering powers and Fixed Penalty Notices	Grizelle Britton	To improve the visual cleanliness and enjoyment of GYBC by taking a joined up and proactive approach to issues on a hotspot and borough-wide approach. Working with partner agencies and other council departments to ensure that an effective approach is maintained.	Meeting with planning and building control to discuss proactive approach. Meeting set up with partner agencies to discuss joined up approach with regard to caravans on streets. Initial discussions held with the police with regard to carrying out street audits.	December 2018 for trial audit Further audits to be completed by March 2019	Completed Ongoing
Strategic thinking about impact on GYBC re low level drug use to include County Lines work	Trevor Chaplin	KPI's include; Number of CPW/CPN's issued in relation to drug use. Number of NOSP's/NODOs issued to GYBC tenants in relation to drug use. Number of Anti-Social Behaviour injunctions issued in relation to drug use Number of cases referred to ASBAG under Operation Gravity.		March 2018	Ongoing
Monitoring of crime across the Borough including GYBC incidence of crime	Grizelle Britton	Real time identification of issues throughout the borough allowing the		Quarterly review	ongoing

Activity	Lead Officer	Outcome of Work/KPI's	Progress to Date	Completion Date	Status
such as reports of violence etc and to raise with group as appropriate		enforcement board to deal with actual concerns rather than perceived concerns.			
Managing business rates avoidance within legal limitations	Miranda Lee	KPI's include; Number of rate avoidance cases identified Number of rate avoidance cases which have been successfully challenged Value of successful/unsuccessful rate avoidance cases	<p>All cases where rates avoidance tactics are being identified are being recorded with effect from 1st August 2018</p> <p>Business Rate Compliance (Avoidance) Group established and met June 18 – CLG, LGA, CIPFA, IRRV (To look at high level legislation changes required to eradicate rate avoidance - will be monitoring welsh consultation on Business Rate legislation changes)</p> <p>GYBC are members of BREACH (IRRV Rates Avoidance Forum – best practice/technical advice)</p> <p>Regular meetings in place with NPLAW – specific cases</p>	Quarterly review	Ongoing

Activity	Lead Officer	Outcome of Work/KPI's	Progress to Date	Completion Date	Status
			<p>Rates Avoidance specialist Solicitors, Greenhalgh Kerr engaged on case by case</p> <p>To initiate the setting up of a local forum with Norfolk and Suffolk LA's engaging Greenhalgh Kerr – case studies, best practice</p> <p>Engagement with HMRC/Charity Commission(where appropriate) to combine investigations into prolific rate avoidance businesses</p> <p>Staff awareness/training</p>		
To review condition of our own property stock outside of the HRA – to include review of lease arrangements as appropriate	Andy Dyson	Work currently being scoped	Work currently being scoped	TBC	TBC
A review of Seafront and Regent Road enforcement to include the development of policy for this area	Grizelle Britton & Denise Wilby	Reduction in antisocial behaviour and complaints from businesses and visitors to the area	Policy has been developed and circulated for comment. Nplaw have provided an updated opinion on the licensing and enforcement of A-boards	March 2019	Ongoing

Appendix 3

ENFORCEMENT GROUP PERFORMANCE INDICATORS – QUARTER 2 (July – Sep) 2018/19

POLICY & RESOURCES COMMITTEE

Enforcement Indicators	Previous Quarter	This Quarter	Status
No of empty properties across the borough	1485	1474	Decreasing
No of empty businesses across the borough	437	441	Increasing
No of cases listed with the Operational Property Enforcement Task Group	34	37	Increasing
No of cases closed through the Operational Property Enforcement Task Group	3	11	Increasing
No of properties brought back into use through the Operational Property Enforcement Task Group	1	4*	Increasing
No of businesses brought back into use through the Operational Property Enforcement Task Group	1	0	Decreasing
No of advisory contacts made through the Operational Property Enforcement Task Group	8	13	Increasing
No of enforcement notices serviced through the Operational Property Enforcement Task Group	1	3	Increasing
No of works in default undertaken through the Operational Property Enforcement Task Group	0	0	Same
Notes: Figure marked with an asterisk refers to 2 properties brought back into use and 2 additional properties still in development			