

## **PLANNING COMMITTEE**

**13 OCTOBER 2021**

### **SECTION 215 ENFORCEMENT**

Report from: Richard Hicks, Director of Place and Deputy Chief Executive

Author: Neil Howlett, Community Safety and Enforcement Manager

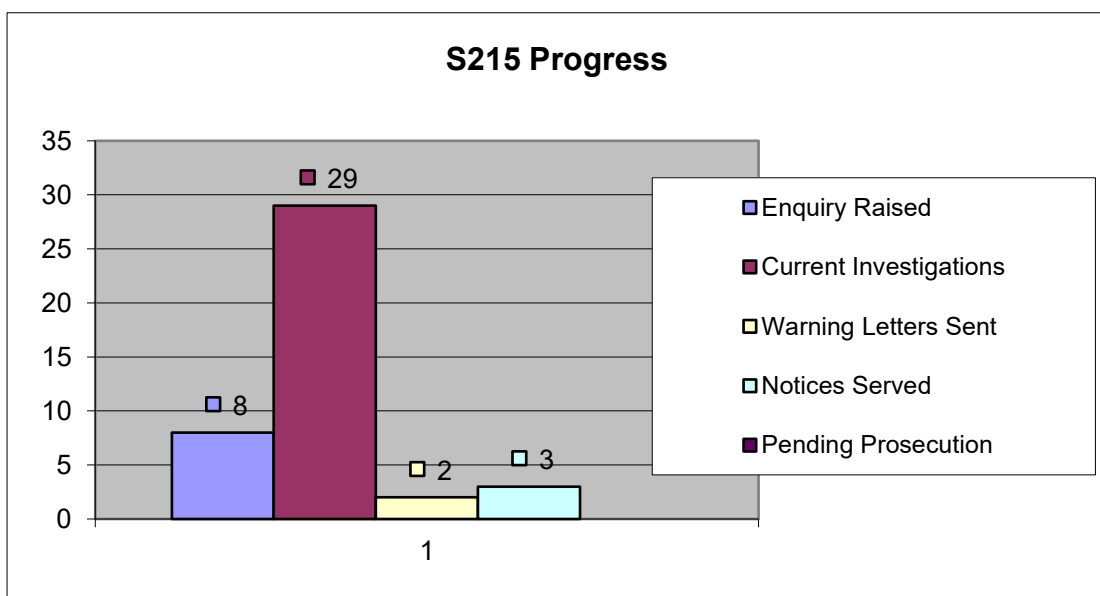
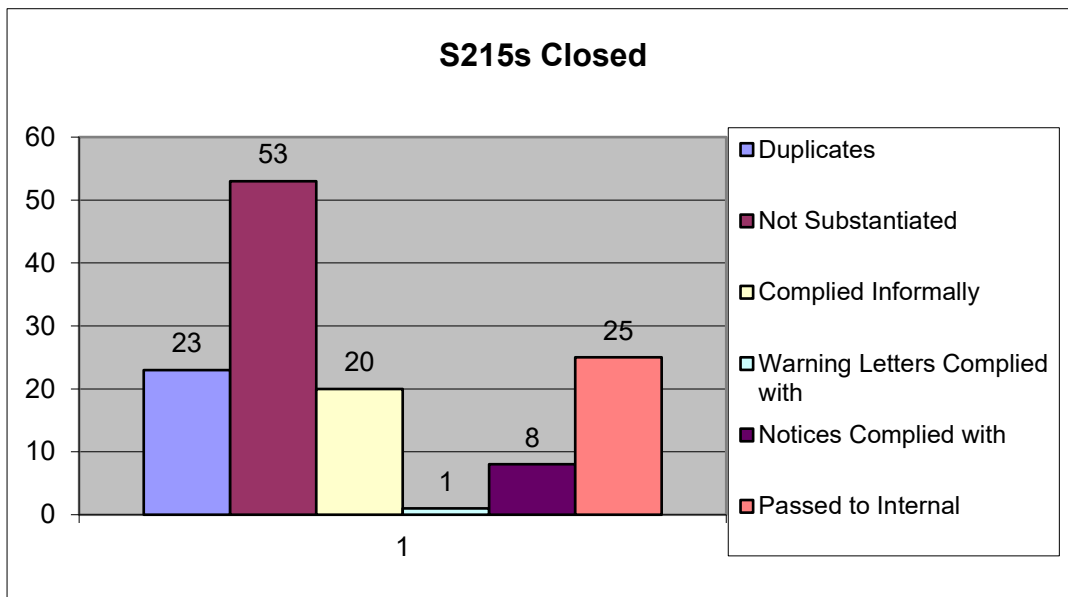
#### **Summary**

This report details the action taken by the Environmental Enforcement Team (EET) with regard to section 215 issues in Q4 2020/21 and Q1 2021/22.

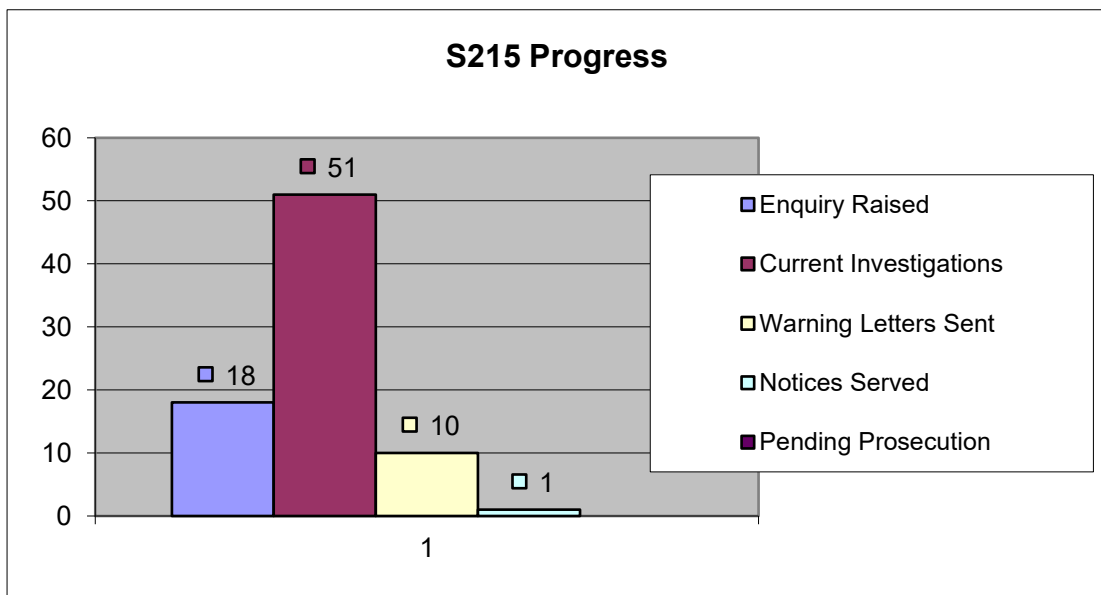
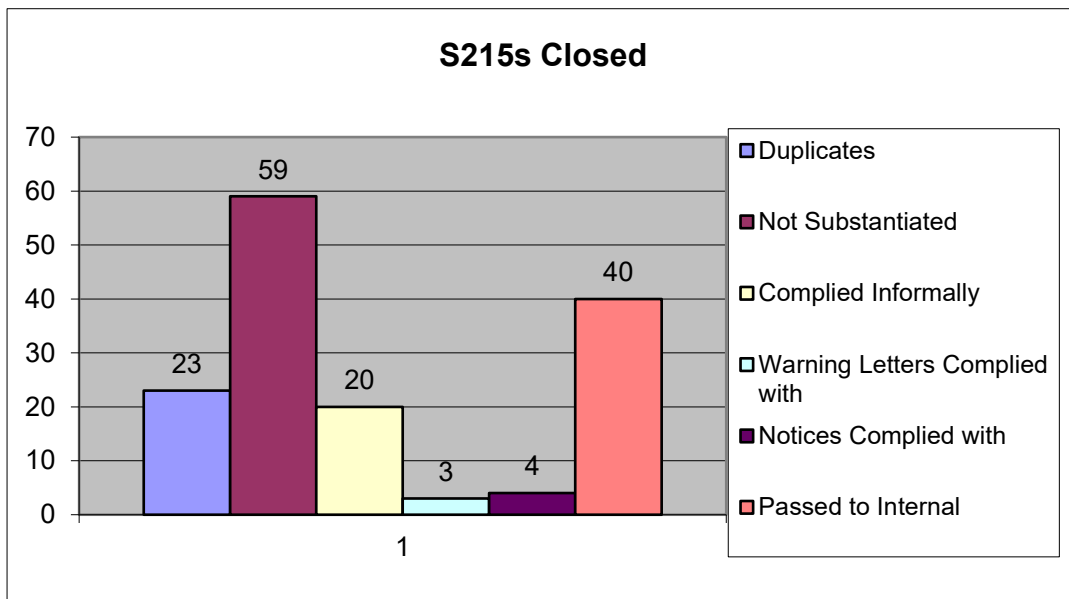
#### **1. Breakdown of enquiries received during Q4 2020/21 and Q1 2021/22**

- 1.1 During these two quarters, the team received a total of 401 public enquiries relating to untidy land issues.
- 1.2 Of these, 46 were duplicate jobs. These are cases where the team has received more than one enquiry about the same site.
- 1.3 A further 112 sites, having been inspected by the enforcement team proved to be unsubstantiated, in that they did not present a loss of visual amenity.
- 1.4 A further 65 cases were referred to other departments within the council, where it was more appropriate for them to deal with the issues raised.
- 1.5 Of the remaining 178 cases 56 have been completed and 122 remain open and are at various stages of investigation.
- 1.6 44 cases were complied with informally. 12 cases complied with notices.
- 1.7 Of the 122 open cases, 4 notice have been served. 118 are still in the initial stages of investigation

## Quarter 4 2020/21



Quarter 1 2021/22



The total number of cases for this period are broken down by ward as follows;

S215 Q4 2020/1 Q1 2021/2	open	closed	Total
Chatham Central	17	34	51
Cuxton & Halling	0	4	4
Gillingham North	13	27	40
Gillingham South	11	25	36
Hempstead & Wigmore	0	2	2
Lordswood & Capstone	2	10	12
Luton & Wayfield	12	21	33
Peninsula	4	5	9
Princes Park	5	11	16
Rainham Central	2	7	9
Rainham North	6	4	10
Rainham South	5	4	9
River	4	13	17
Rochester East	2	13	15
Rochester South & Horsted	6	11	17
Rochester West	5	3	8
Strood North	8	19	27
Strood Rural	1	10	11
Strood South	5	17	22
Twydall	8	19	27
Walderslade	1	3	4
Watling	4	8	12
Ward unknown	1	9	10
<b>Total</b>	122	279	401

## 2. Financial and legal implications

- 2.1 Members should be aware that there is the possibility of costs being awarded on appeals against enforcement notices. This could be for or against the authority. In addition, there may be occasions where the local authority has to take direct action to resolve a S215 issue and this would be an initial cost to the council although a charge would be put on the land.

## 3. Risks to Medway Council

- 3.1 The financial risks of taking enforcement action have been outlined above.
- 3.2 However, the risks of not taking enforcement action are that;
- The council is not taken seriously by offenders,
  - Untidy land left unaddressed may attract further fly tipping and present a health hazard,
  - Untidy land increases feelings of insecurity. Failure to deal with it will have a negative impact on -
    1. Reducing the fear of crime.
    2. Reducing the number of deliberate fires
    3. Reducing the levels of rubbish in public areas
    4. Reducing the number of fly tipping incidents

- This also links with the Health and Wellbeing Strategy for Medway in –  
1. Improving Physical and Mental Health and Wellbeing

#### **4. Recommendations**

4.1 This report is submitted for information.

#### **Lead officer contact**

Neil Howlett, Community Safety and Enforcement Manager

Tel No: 01634 331183

Email: [neil.howlett@medway.gov.uk](mailto:neil.howlett@medway.gov.uk)

#### **Appendices**

None

#### **Background papers**

None