



## **OFFICER REPORT**

<b>Committee:</b>	Place, Neighbourhood and Planning.
<b>Date:</b>	Tuesday, 16 January 2024.
<b>Report Author:</b>	Chris Turvey – Place, Neighbourhood and Planning Committee.
<b>Report Title:</b>	Planning Enforcement - Options for Ryde Town Council.
<b>Context:</b>	<p>To make a decision on whether Ryde Town Council commits to a spend or not on the services of Isle of Wight Council Planning Enforcement Officers.</p> <p>Any final decision will be made by all Ryde Town Council elected members at the meeting of Full Council on Monday, 5 February 2024 as part of the 2024-2025 Budget settlement.</p>

Further to the report considered at the PNP Committee dated 5 December 2023 I have belatedly received a reply to my enquiry to Ollie Boulter the IW Council's Strategic Manager Planning & Infrastructure Delivery regarding my planning enforcement enquiry.

I have included his reply below:

*"Morning Chris,*

*Thanks for your email and bringing me in on the conversation. I fear that perhaps something has been lost in translation, so for the avoidance of doubt please take the following to be the definitive explanation of the Council's approach.*

*The Enforcement Team will continue to investigate every alleged breach it receives, however due to limited resources it will deal with these on a priority basis as per the Enforcement Strategy. In practice this is likely to mean that what is a locally important issue may not be high on the list for the Enforcement Team looking at the whole Island, but we will open a file and investigate when resources permit. In some instances, these locally important priorities will also meet the priority criteria of the Enforcement Strategy and they shall be dealt with accordingly. As I'm sure you'll appreciate there are multiple cases that meet the priority criteria across the Island, so even these need to be prioritised based on a range of factors such as the historical importance of the building, the condition of the building and the harm created by further deterioration.*

*So, the bottom line is yes, the Council will continue to pursue action in relation to the Royal York Hotel. It is not, however, a priority site for us, so we will pursue action when resources allow. We do continually monitor the situation on this site, and indeed others, to understand whether the condition of the building has changed and whether it has become at greater risk. If the situation changes and there is greater risk, it will become more of a priority and current resource allocated to it. This is the status quo.*

*If the town council wishes to change the status quo, then it can provide further capacity which could be used exclusively to deal with the Royal York and/or other sites that are important to the community.*

*I hear your contention regarding the Royal York being a priority, but as I have explained above it still sits within a Island-wide hierarchy of priorities. There are, unfortunately, multiple sites that are priority and we do the best with the level of resource that we have available to us.*

*I would take your position even further to say that no residents of the Island should have to pick up the bill for the buildings' owners, but, unfortunately, we do. To keep those costs down the Council has made budget decisions that mean we only have the budget for 3 FTE Enforcement Officers covering the whole Island. This is currently supplemented by NC&CC funding a further Officer for 3 days a week in Newport.*

*If the Town Council does not wish to fund further capacity that is a decision of course it is entitled to make, but it will therefore have to accept that the status quo in relation to how the Council prioritises dealing with Enforcement complaints and the speed at which it is able to take action.*

*This is perhaps a discussion the Town Board may wish to have when considering how to take the recent levelling-up funding forward, and how such approaches can fit into the bigger picture of what the Town Council is trying to achieve in Ryde.*

*All ways happy to discuss if helpful.*

*Regards,"*

My initial observations of this approach by the IW Council are as follows:

Newport have managed to achieve what would be considered easy fixes for a local problem that they have. These issues would in the normal course of things be considered very low priority with regard to their importance for the Island as a whole. This means that the extra money that has been generated from Newport has been used for issues which would normally have been almost ignored by the IW Council. Much of what Newport has achieved could have been achieved by other means (ie a strongly worded letter to the property owner by the Town Council).

Ryde's main issue which needs to be addressed by enforcement are the state of various Grade II listed buildings. We agreed, previously, to make available £10,000 per year to help the IW Council with action on specific buildings however this money was never spent, and no action was ever taken. The reasons for this are many but include the owner's ability to side step the law by just doing the bare minimum to be in compliance, the huge cost of preparing a case and the risk of failure that these cases have.

Ryde Town Council have now purchased Vectis Hall which was one of the at risk Grade II listed buildings. It is proving expensive and difficult to protect this building and to date funding opportunities for help to regenerate it have drawn a blank. An unfortunate effect of our ownership of Vectis Hall is that owners of neighbouring properties which have previously been the subject of our efforts to tidy them up can now point the finger at us.

In conclusion I feel that the approach by the IW Council could have the effect of having a number of low priority enforcement issues sorted out at the expense of the more serious enforcement breaches.

Maybe a better option with regards to enforcement for the IW Council is to ask for contributions so that they can bring in extra enforcement officers to tackle the stated priorities of preventing "*significant or irreparable harm to listed buildings, protected landscapes or protected trees*" more effectively.

## OPTIONS FOR A DECISION

Ryde Town Council is currently compiling its 2024-2025 budget and as such, members are required to make a decision on whether a commitment to spend on the employment of Isle of Wight Council enforcement officers or not is made in order for any costs to be factored into the proposed settlement.

The following four options therefore need to be considered with a decision made:

- Option 1.** Pay nothing and rely on the existing Isle of Wight Council Enforcement service – No cost.
- Option 2.** Engage Isle of Wight Council Enforcement Officers for two days per week – £15,769.60 Minimum Per Annum.
- Option 3.** Write to the owners with untidy buildings and provide funding – £10,000.00 Maximum Per Annum,
- Option 4.** Improve Town Centre with £20 million levelling up fund – Cost unknown.

The final decision on any spend would be made by all elected members of Ryde Town Council at the meeting of Full Council on 5 February 2024 when the 2024-2025 budget settlement will be considered and agreed.