

Planning and Building Control Enforcement

LEAD MEMBER: Councillor David Moore

LEAD OFFICER: Neil White, Scrutiny Officer

Recommendation: that the Panel is requested to consider the following recommendations and recommend to Council (via the Executive where appropriate) that:

(A) in respect of the Council's Planning Enforcement Manual:

- (1) it should be updated with a clear design and layout as well as the use of plain English,**
- (2) the priorities set out in the manual should be confirmed by the Planning Panel,**
- (3) once updated a copy should be placed on the council's website and be made available for download.**

(B) the following processes be implemented, as a matter of urgency, to ensure that greater control is available over Planning and Building Control Enforcement Issues:

- (1) The information on planning enforcement on the council's website should be updated. It should also include the capacity to submit information and raise planning enforcement concerns on-line, and have a "who's who" of key officer contacts,**
- (2) Good practice examples from other local authorities should be investigated in order to produce the best possible material and presentation,**
- (3) The recording of requests for Planning Enforcement should be improved and brought into line with the Council's policy of acknowledging a letter within 3 working days and a full response within 10 working days,**

Any such requests that fall within the Council's Corporate Complaints Procedure should also be sent to the Customer Relations Officer for monitoring and recording purposes,

- (4) An ongoing log of enforcement successes should be established and maintained,**

- (5) A programme for securing regular and widespread publicity for planning enforcement successes should be developed and implemented in collaboration with the Communications Team,
 - (6) The requirement in the Council's planning enforcement manual for a quarterly review of the performance of the enforcement function should be implemented and the reviews submitted to the Planning Panel,
 - (7) The proposal to Personnel Panel to recruit an enforcement officer be strongly supported.
- (C) Resources be made available over the longer term to ensure a number of improvements can be made to the Planning and Building Control Enforcement Service that should include that:
 - (1) Officers are requested to find a cost effective solution to checking that developments take place in accordance with approved development plans so that future complaints against the council can be minimized,

This could be addressed through a more regular use of a condition that stated that the development should be completed in accordance with the submitted plans.

It would be useful if this was part of a book of "Standard model reasons for refusal".
 - (2) An Enforcement Forum (a multi-disciplinary working group of officers involved in enforcement action across the Council) should be established to review and utilise more effectively all the possible powers that the Council has at its disposal to secure enforcement, including planning enforcement,

Consideration should be given to the inclusion of the Police within this forum,
 - (3) The Officer group that is looking at dilapidated buildings consider how the council could take a similar approach to Allerdale on the renovation or demolition of such sites and report on this to the Planning Panel.
- (D) A report be submitted in six months time on the changes made as a result of these recommendations and the effect of those changes.

1. BACKGROUND

The Economic Development and Enterprise Overview and Scrutiny Committee in the last civic year agreed to a task and finish group being established to look at how the planning and building control enforcement service is dealt with by the council.

The Task and Finish Group has completed its work and reported to the Economic Development and Enterprise Overview and Scrutiny Committee at its special meeting on 2 September 2008. The report of the Task and Finish Group is at Appendix "A".

2. CONCLUSION

The Overview and Scrutiny Committee agreed to the recommendations of the Task and Finish Group and these are detailed at the recommendations at the head of this report.

The Committee was informed of a change to the wording of recommendation B (3) to better reflect the council's corporate complaints policy.

The Committee in considering recommendation (C)(1) also considered that this could be addressed through a more regular use of a condition that stated that the development should be completed in accordance with the submitted plans. It would be useful if this was part of a book of "Standard model reasons for refusal".

The Panel is asked to consider these recommendations and to recommend on to the appropriate body any changes to its procedures it wishes to make in light of these recommendations.

Contact Officer: Neil White, Scrutiny Support Officer

Background Papers: None

List of Appendices: Appendix "A" – Report of the Planning and Building Control Enforcement Task and Finish Group