

Reference from Performance and Finance Scrutiny Committee - Council's Planning Enforcement Function

Summary

At its meeting on 22 March 2017, the Performance and Finance Scrutiny expressed concern in relation to past performance of and the contribution going forward, of the Planning Enforcement function. The Committee proposed that the Executive review this function, focussing, in particular, on resource and budgetary implications, with an objective of substantially improving the service.

Chairman, Performance and Finance Scrutiny Committee

Wards Affected	All
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Recommendation

The Executive is asked to note the concerns of the Performance and Finance Scrutiny Committee in relation to the Planning Enforcement function and to review the function, focussing in particular, on resource and budgetary implications, with the objective of substantially improving the service.

1. Key Issues

1.1 In consideration of the functions underpinning the Regulatory Portfolio, Members of the Performance and Finance Scrutiny Committee raised concerns in relation to the Planning Enforcement function, in particular that it was viewed as being less than satisfactory and that this arose from the following:

- (i) The workload/extensive number of enforcements covered by one Enforcement Officer; including the number/extent of outstanding enforcement issues;
- (ii) The workload of the Council's Arboricultural Officer;
- (iii) The way in which enforcement is prioritised for different types of enforcement;

1.2 It was noted that the Council had, as part of a restructure, reduced the number of enforcement officers. This was, in part, reflected in the priorities set in the Local Enforcement Plan in September 2014 (Minute38/E refers). To address this, the service had sought support from Corporate Enforcement Officers and the Council's Contact Centre, making the best use of resources across the Council, and would continue to review the support available from planning officers. A new ICT system would also allow officers to access Council systems whilst out on site and the input of the Contact Centre could be further developed.

- 1.3 Whilst recognising recent developments to assist the enforcement function, Members expressed continued concerns that insufficient resources were seriously impacting on this service, with many issues receiving low or no priority, leading to enforcement being viewed as less than satisfactory.

2. Resource Implications

- 2.1 The Performance and Finance Committee is asking the Executive to review resource and budgetary implications, to support a substantial improvement that Members believed was necessary for the Service. Any resource/financial implications would depend on the Executive's decisions thereon.

3. Officer Comment

- 3.1 The Chief Executive has listened to the recording of the debate regarding planning enforcement performance and resources discussed at the meeting. It was not totally clear what Members were asking for. A number of the statements made were anecdotal and it is felt were made as a result of having received contact from aggrieved residents.
- 3.2 Views on the performance of some developers was mentioned by Members. It is the opinion of the Chief Executive that these concerns are not universal and are only relevant in a small number of cases.
- 3.3 The Executive will be aware that prior to and since the debate, senior officers have been monitoring the planning enforcement position. The Chief Executive has been directly involved in a number of high profile cases, analysing the issues and working closely with officers to establish where processes can be improved. A new corporate enforcement team has been set up to bolster the resource for all enforcement areas. This team has not been operating long enough to establish what level of difference they are making, however it should be recognised that there have been some very detailed cases that have naturally impacted disproportionately on resources at times.
- 3.4 Resourcing for this function considered purely on the debate at Scrutiny is not necessarily objective evidence as it is based on a number of individual cases raised by residents. It was reported that there were 110 cases of enforcement outstanding. This is not unusual nor is it considered a significantly high workload as cases can range from simple letters before action to complex inquiries or injunctions. To increase officers on the basis of the number of outstanding issues is not a reliable enough indicator.
- 3.5 As the officer dealing with Stage 3 complaints, it is very common for the Chief Executive to receive complaints that are planning and indeed planning enforcement related. By its nature this service is one of the most emotive areas of Council business. Councillors will often hear about issues because residents expect a speedy resolution which is,

regrettably, not always possible. Equally, although it is deemed as a complaint it does not necessary make it a viable planning enforcement case and much of the work and time involves trying to explain to residents why cases are not enforceable.

- 3.6 Issues often relate to 3 important factors. Firstly, timely communication, secondly speed of decision making and thirdly, confidence of decision making. The level of resource may well, at times, be a factor but it is not the most significant one.
- 3.7 The new corporate enforcement team, as well as the Contact Centre, have been tasked with supporting the planning enforcement service. How we deal with enforcement cases can be further monitored through the new computer system which has more information and monitoring functionality available to track the progress of cases.
- 3.8 In essence, as Head of Paid Service, the Chief Executive would like the staff to be given more time to allow the new processes and wider corporate resources to bed in over the next year before considering the need to increase the level of resource.

4. Options

- 4.1 The Executive can decide to note the Committee reference, instigate a review of resource and budgetary implications or decide that a review is not required at this time.

Annexes	None
Background Papers	Performance and Finance Scrutiny Committee minutes for the Meeting held on 22 March 2017
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