

SUBJECT:	<i>Review of planning enforcement arrangements</i>
REPORT OF:	<i>Sustainable Development Portfolio – Councillor Naylor</i>
RESPONSIBLE OFFICER	<i>Director of services/head of sustainable development</i>
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WARD/S AFFECTED	<i>All</i>

1. Purpose of Report

To report to Members the findings of the audit review of Planning Enforcement arrangements and the action being taken to address these.

RECOMMENDATION

Members are asked to note this report.

2. Content of Report

2.1 In light of the Planning Shared Service Review, the Council's auditors were requested to highlight areas of weakness/areas for improvement in the Planning Enforcement service. A copy of the report is attached herewith.

2.2 The Enforcement Manager has since left the Council's employment and a replacement Enforcement Manager has been appointed who will commence work at the end of October.

2.3 The following table sets out the main findings, together with how these are being addressed.

Paragraph	Main findings	Consideration & action
11.1 – 3	Put in place a comprehensive set of day-to-day procedures.	Process mapping of existing processes has been carried out for the Planning Shared Service review. A form is already in place for Enforcement to give instructions to Legal Services. One of the early tasks for the new Enforcement Manager will be to review procedures and work with Trevor Roberts Associates to document these.
11.4	Dedicated admin support function needed.	This is seeking the creation of a new dedicated post within the Enforcement team to provide administrative support – the creation of such a new post would need to be

		considered as part of the Planning Shared Service Review. However, in the meantime the Enforcement team is able to call upon some limited support from Planning Admin.
11.5	Changes needed to delegation arrangements	The scheme of delegation only gives power to the Head of Legal Services to seek information about the ownership/use and occupation of land. Also, the previous Cabinet Member introduced the informal requirement for enforcement action to be the subject of consideration by an informal Members Briefing Panel, in addition to the Planning Committee or Consultative Body of Planning Committee. Subject to the concurrence of the Cabinet Member, the informal requirement for consideration by a Briefing Panel could be dispensed with. Accordingly discussions with the Cabinet Member have indicated that he is minded to do so at the time when the scheme of delegation is the subject of a formal review by Legal Services, which is scheduled for 2017.
11.6	Training on Uniform	Undertaken in August. This was an essential precursor to the forthcoming review of procedures, in order that those reviewed procedures can make the most effective use of Uniform. Discussions have taken place with the Head of Business Support who has advised that Uniform will need to be reconfigured and a meeting is being set up involving Business Support, Idox and the new Enforcement Manager to take this forward.
11.7 Document storage	Introduce use of Document Management System (DMS) to Enforcement	This would be a very welcome development. It has resource implications and will require very careful management and implementation, including support from Business Support, and accordingly will be considered as an integral part of the business case and implementation of the Planning Shared Service Review.
11.7 Workload management	Introduce Enterprise	This would be a very welcome development. It has resource implications and will require very careful management and

		implementation, including support from Business Support (IT), and accordingly will be considered as an integral part of the business case and implementation of the Planning Shared Service Review.
11.7 registering new complaints	Enforcement officers to enter complaints direct into Uniform.	Enforcement officers have been instructed to enter complaints direct into Uniform.
11.7 registering new complaints	Officers to register complaints, even where an allegation is very clearly no breach of control	All written (letter/email/online form) complaints should, and are now being registered as a case. However, in accordance with the Council's approved enforcement policy complaints received by telephone will only be registered once the complainant has followed this up in writing. This approach is to prevent vexatious and/or anonymous complaints.
11.7 recording inspections	Due to work pressures sometimes officers are not recording site visits in uniform at all, or are recording only basic details.	All enforcement officers have been instructed that all site visits should be recorded in Uniform. This will be built into the procedures when they are reviewed by the new Enforcement Manager.
11.7 map templates	New mapping solution needed and further training	Business Support are working on a permanent solution for the production of maps. In the interim period the Enforcement team will continue to use Local View mapping and will call on Business Support for any more complicated mapping to be produced in ArcView.
11.7 notices	Officers to update the uniform tab when a notice is served.	All enforcement officers have been instructed to this effect. This will be built into the procedures when they are reviewed by the new Enforcement Manager.
11.8	Making greater use of Uniform	Uniform training provided. This will also be covered in the work on procedure notes.
11.9 customer focus	Clarity required on the extent to which the complainant is seen as a customer	The fact that complainants are customers has been reinforced to staff through the Planning Shared Service Review end of Define Stage sessions with staff. It will also be further emphasised in the procedure notes work to

		be undertaken by the new Enforcement Manager and through his regular 1:1 meetings with enforcement staff.
11.11 – 11.14	Update the enforcement policy/website/targets timeframes in order to provide the customer with expected targets/timeframes	The Council's Enforcement Policy sets out how the Council will prioritise individual cases, and the target timescales for initial inspection of sites where there is an alleged breach of planning control. Any changes to the targets would need to be addressed as part of the Planning Shared Service review since if a shared service is to be implemented, the same targets should apply for both Chiltern and South Bucks.
11.16	Update website to refer to public register	Website updated.
11.17	Enforcement notices to be made available via public access	This is reliant upon decisions in the Planning Shared Service Review regarding the implementation of DMS.
11. 18	Publish additional data on website	Displaying enforcement notices will be reliant upon the decisions in the Planning Shared Service Review regarding the implementation of DMS, as well as data cleansing.
11. 19	Performance management	The new Enforcement Manager will be (as was the previous Enforcement Manager) instructed to undertake 1:1's with enforcement officers on a fortnightly basis in order to set targets, and to review actual performance against those targets.
11. 20	Introduce Enterprise	As per 11.7 above
11. 22 – reporting	reporting on cases received and cases closed	Enforcement Manager has instructed officers to review all cases to identify any which should be closed, and for these to be closed. Manager now able to generate reports without assistance.
11. 22 timescales	Close enforcement cases when it is passed to Development Management	This is not agreed as the Planning Shared Service Review demonstrated that this would be poor customer care.

4.3 in addition to the actions listed above, further action has already been taken vis-a-vis: –

- Responsibility for the management of the Arboriculturist and Conservation Officer has been moved from the Enforcement Manager to the Development Management teams – in order to provide further capacity in the Enforcement team.
- The responsibility for putting up statutory notices of planning applications on sites has recently been moved from Enforcement to Development Management – in order to provide further capacity in the Enforcement team.

Background	Review of the Planning Enforcement Arrangements 2015/16.
Papers:	