

## **Planning Enforcement (Recommendations of Overview and Scrutiny Enquiry)**

Report of: Cllr David McVicar, Chairman of the Sustainable Communities Overview and Scrutiny Committee

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**This report relates to a decision that is non-key**

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### **Purpose of this report**

1. To provide Members with the outcomes of the scrutiny enquiry into planning enforcement as reported to the Sustainable Communities Overview and Scrutiny Committee.

### **RECOMMENDATIONS**

**The Executive is asked to:**

1. **consider the report and recommendations of the enquiry at Appendix 1; and**
2. **respond to the report within two months indicating what action if any, it proposed to take and if it decides to take no action the reasons for that decision.**

### **Overview and scrutiny comments/recommendations**

2. This report and its recommendations were previously supported by the Sustainable Communities Overview and Scrutiny Committee.

### **Background**

3. At its meeting on 20 August 2015 the Sustainable Communities Overview and Scrutiny Committee requested a review of Planning Enforcement in light of concerns raised by Members.

4. An enquiry was formed of Cllr K Matthews, Cllr B Saunders, Cllr A Graham and Cllr R Johnstone who undertook to review the subject and report back to the SCOSC with their findings.
5. The review focused on a number of areas and agreed recommendations relating to the following:-
  - (i) Resources and demand management
  - (ii) Communication, timescales and prioritisation
  - (iii) Enforcing planning conditions.

### **Council Priorities**

6. The recommendations of the enquiry will support several of the Council's priorities but in particular support enhancing Central Bedfordshire, creating stronger communities and a more efficient and responsive Council.

### **Corporate Implications**

#### **Legal Implications**

7. As detailed in the body of the report where the recommendations merely seek to clarify and better explain the current processes within the Council's Policy they do not give rise to legal implications. It should however be noted that substantial changes to the Policy would be an Executive function in any event.
8. There are recommendations relating to staff duties and the out of hours service, which may result in changes to terms and conditions of employment. This will require the relevant employment law and legislation to be followed to ensure any such changes are carried out lawfully.

### **Financial and Risk Implications**

9. As detailed in the report the recommendations of the enquiry propose the increase of the team leader role to 1 FTE.
10. The recommendations also propose the reinstatement of the out of hours service, which may require a change in staff terms and conditions and could lead to further financial implications.

### **Equalities Implications**

11. The Council has a duty to promote equality of opportunity, eliminate unlawful discrimination, harassment and victimisation and foster good relations in respect of nine protected characteristics.

12. The recommendations included in this enquiry relate to several aspects of communication with residents and the application of existing committee procedures. If implemented it is envisaged that the recommendations would enhance communication with all residents in Central Bedfordshire.

### **Conclusion and next Steps**

13. The Constitution requires that once received by the parent committee overview and scrutiny enquiry reports are presented to the Executive.
14. The Executive is required to respond to the report within two months indicating what action if any, it proposes to take and if it decides to take no action the reasons for that decision.
15. Once received by the Executive the response to the recommendations ought to be received by the Executive on 01 August 2017.

### **Appendices**

Appendix A: Detailed report of enquiry

Due to their size the appendices to the enquiry report have not been reprinted but can be reviewed via the following link:-

<http://centralbeds.moderngov.co.uk/documents/b7746/Supplement%201%20Planning%20Enforcement%20Review%20Thursday%2014-Jan-2016%2010.00%20SUSTAINABLE%20COMMUNITIES%20OVERV.pdf?T=9>

### **Background Papers**

None