

Appendix A

Ref	Recommendations of the O&S enquiry	Is the recc'n accepted by Executive?	Response including proposed action(s)	Lead(s)	Deadline for delivery
1.	That the Planning Enforcement Team's communication strategy be updated and enforced and that the automated email response detailing timescales and processes be reinstated during the current review of IT systems.	Yes	<ul style="list-style-type: none"> - Auto email response not technically possible although will be reviewed as part of the wider system in the interim we have introduced a manual process through Acolaid. NB Auto emails are sent via Acolaid to Ward Cllrs and PC/TC when case opened, when breach confirmed and when case closed. Positive feedback received. - Timescales for notifications are as set out in enforcement plan which has been updated in consultation with the Chair of Task Force - The team are aware of these changes and the importance of meeting timescales 	Sue Cawthra	Complete

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2.	That complainants and Ward Members receive notification of any breach of planning conditions in their area and that the level of priority of each case be set out with a clear rationale for the level of priority. Notification should also be provided when cases are not considered to be a breach of planning conditions with a detailed explanation as to how this conclusion was determined.	Yes	<ul style="list-style-type: none"> - Planning Control and conditions which are treated in the same way and important to highlight here that some development is PD and therefore although we receive a complaint we may hand this on or in fact close the case very early. - We continue to monitor this given we have been unable to automate this process 	Sue Cawthra	Complete

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3.	That the Planning Enforcement Team implement reasonable timescales for retrospective planning applications, taking into consideration the complexities of each case and adhere to timescales appropriately.	Existing practice	<ul style="list-style-type: none"> - In line with NPPF we need to consider each case on its merits and apply a proportionality test although we recognise that we cannot predetermine the decision that might be made by planning committee, our planned timetable of action is based on planning assessment and proportionality. - That planned approach invites retrospective application within 28 days and advised regards sale of property / land to the applicant (risks). We recognise that some cases are complex and may require reports to be prepared such as a flood risk assessment or heritage statement. 	Sue Cawthra	Complete

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4.	That the quality of information sharing be enhanced through collaboration with the Partnership Team to coordinate the dissemination of information, as far as it is allowed for by law or other means, to Town and Parish Councils, increasing public awareness of planning enforcement processes.	Yes	<ul style="list-style-type: none"> - We have engaged in discussions with CBC Partnership to raise awareness of the plan and have issued to Town & Parish Council's the link to the plan - We have also reintroduced notifications to T&P Councils which was indentified in the plan but it became apparent that it was not happening - Town & Parish Council Workshops (Mike Duffet) positive feedback - Planning Enforcement Plan on web site. Links to web site much improved. - Link to Plan sent to all Town and Parish Councils when notified initially of increased notification of planning enforcement cases - We continue to work with Peter Fraser and his team to keep 	Sue Cawthra	Complete

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5.	That communication be improved between Enforcement Officers and Planning colleagues in order to gauge whether conditions are enforceable. In order to achieve this it is recommended that it be included in the wider communication strategy within the department.	Yes	<ul style="list-style-type: none"> - We have a review of standard conditions planned (JS) - Training for planning officers on planning enforcement including enforceable conditions - We will look to build on the training and ensure it is included in the wider communication strategy within the department but also across the Council for example with Highways colleagues - Standard conditions vetted by enforcement - Unenforceable conditions highlighted to team leaders at meetings - Highways conditions updated with relevant team leaders 	Sue Cawthra	All in progress

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6.	That to support the efficient use of part-time staff, planning enforcement cases be shared across the team. In the absence of a dedicated officer, cases to be allocated to colleagues via a triage system, orchestrated by a suitably trained member of staff with regard being given to the urgency of the case.	Some is Existing practice	<ul style="list-style-type: none"> - We do have a triage in use - We would like to encourage the use of the planning enforcement email system the use of which allows our processes to allocate work to another officer – information in draft member protocol - Our system notes allow other officers to familiarise themselves with a case but should be mindful that complex cases would be left to the return of the case officer subject to resources - Cases are allocated by area, workload is monitored and where required by increased workload in one area they are allocated to another officer but the area case officer is kept informed - Prioritisation as in Plan 	Sue Cawthra	Complete

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7.	That in the absence of a full time team leader, responsibilities be shared, where appropriate, across the team and measures introduced to ensure staff cover.	Yes	<ul style="list-style-type: none"> - On an interim basis the Principal Officer covers in the absence of the team leader - The Directorate Wide Restructure is completed and the above arrangement will be formally reviewed as a final solution 	Andrew Davie	In progress

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8.	A review of out of hours cover for planning enforcement service to be undertaken to establish if a service similar to that operated by Building Control can be introduced or other cover arrangements can be put in place within existing budgets.	Yes	<ul style="list-style-type: none"> - Investigations so far suggest we could introduce something such as use of an outside specialist (Constant & Co) subject to procurement rules although there may be a cost to enable the service of a stop notice [this has limited effect but irrespective of cover we cannot serve an injunction when courts are closed. There use so far has been effective on a couple of sites which they have monitored for us - Based on a review of resources it has been determined that there are no additional funds available to resource this. 	Andrew Davie	Under review as business as usual

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9.	That the department proactively seek preventative measures through the analysis of existing complaints. The service should ascertain whether enhancing the monitoring of compliance would reduce the number of enforcement actions undertaken.	Yes	Following discussion and consideration alongside priorities of the medium term financial plan it has been decided that additional funds are not available. The monitoring of compliance is being reviewed as part of the new planning delivery structure using existing resources and is aiming to reduce the number of conditions being applied and their enforceability.	Andrew Davie	In progress – business as usual
10.	That the current Enforcement Plan be updated to include a clearer explanation of processes and a separate flowchart including detailed timescales.	Yes	Enforcement Plan updated as a result of the task force discussions and draft agreed with Chair of Task Force. Comments welcome		Complete

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11.	That the contact list within the Enforcement Plan be updated with details of the most appropriate methods of communication and the best practice included in the examples provided by St Albans and Bristol.	Yes	Draft Enforcement Plan presented as part of this review for comment	Andrew Davie	Complete
12.	That the Plan be updated to include Gypsy and Traveller legislation.	Yes	Draft Enforcement Plan presented as part of this review for comment	Andrew Davie	Complete
13.	That a Member Protocol be developed alongside the updated Enforcement Plan and communicated to all Ward Members.	Yes	Draft Member Protocol agreed with Chair of Task Force and presented for comment	Andrew Davie	Complete
14.	That processes within the current and future plan be adhered to, particularly with regards to high priority cases.	Yes	Noted and emphasised to the team(s)	Sue Cawthra	Complete



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