

North East Derbyshire District Council

Cabinet

29 June 2023

Planning and Environmental Enforcement Scrutiny Review

Report of the previous Administration's Organisation Scrutiny Committee

Classification: This report is public

Report By: Damon Stanton – Senior Scrutiny Officer

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PURPOSE / SUMMARY

To ask Cabinet to approve the recommendations of the Organisation Scrutiny Committee's review into Planning/Environmental Enforcement.

RECOMMENDATIONS

That the Council:

1. Provides training to Councillors and Parish Councils on Planning Enforcement, and distributes the Planning Enforcement service progress reports that Planning Committee receives to all Members following training;
2. Monitors year on year increases in cases to assess whether an additional post in the Planning Enforcement Team is required
3. Explores ways of reducing cases being received via email and instead channels complaints through the online 'report it' function with a view to closing down public complaints to the email channel if possible. This was to ensure that there was one point of contact, that complaints were not missed, and that expectations of the service were clearly explained and communicated; and
4. Reviews the Local Enforcement Plan to remove impracticalities and make it consistent.

IMPLICATIONS

Finance and Risk: Yes No

Details:

This will be determined if Cabinet decide to accept the Scrutiny Review recommendations as part of the Lead Officer response.

On Behalf of the Section 151 Officer

Legal (including Data Protection): Yes No

Details:

This will be determined if Cabinet decide to accept the Scrutiny Review recommendations as part of the Lead Officer response.

On Behalf of the Solicitor to the Council

Staffing: Yes No

Details:

This will be determined if Cabinet decide to accept the Scrutiny Review recommendations as part of the Lead Officer response.

On behalf of the Head of Paid Service

DECISION INFORMATION

Decision Information	
Is the decision a Key Decision? A Key Decision is an executive decision which has a significant impact on two or more District wards or which results in income or expenditure to the Council above the following thresholds: NEDDC: Revenue - £100,000 <input type="checkbox"/> Capital - £250,000 <input type="checkbox"/> <input checked="" type="checkbox"/> <i>Please indicate which threshold applies</i>	No
Is the decision subject to Call-In? (Only Key Decisions are subject to Call-In)	No
District Wards Significantly Affected	None
Consultation: Leader / Deputy Leader <input checked="" type="checkbox"/> Cabinet <input checked="" type="checkbox"/> SMT <input checked="" type="checkbox"/> Relevant Service Manager <input checked="" type="checkbox"/> Members <input checked="" type="checkbox"/> Public <input type="checkbox"/> Other <input type="checkbox"/>	Yes Details:

Links to Council Plan priorities, including Climate Change, Equalities, and Economics and Health implications.

REPORT DETAILS

1 **Background** *(reasons for bringing the report)*

- 1.1 The Organisation Scrutiny Committee agreed to undertake a review into Planning/Environmental Enforcement, as part of its work programme for 2022/23.
- 1.2 The review aimed to:-
- Understand how the Planning Enforcement Team worked with Environmental Enforcement and other teams;
 - Understand how the Planning Enforcement Team functioned and carried out multi-agency working;
 - Establish best practice; and
 - Identify any further improvements that could be made.
- 1.3 The Review Panel met on five occasions and considered a variety of information to gain an understanding of the subject area, including an initial report from the Head of Planning outlining the process for investigating reports of Planning breaches and how multi-agency responses were instigated. They also considered key documents such as the Planning Enforcement Plan and Planning Enforcement service reports. Interviews were held with a number of officers in the Planning and Planning Enforcement Teams, as well externally with Derbyshire County Council Officers. The full report attached at Appendix 1 sets out in more detail the evidence gathered and a synopsis of the views expressed.

2. **Details of Proposal or Information**

2.1 The recommendations are

That the Council:

- Provides training to Councillors and Parish Councils on Planning Enforcement, and distributes the Planning Enforcement service progress reports that Planning Committee receives to all Members following training;
- Monitors year on year increases in cases to assess whether an additional post in the Planning Enforcement Team is required;
- Explores ways of reducing cases being received via email and instead channels complaints through the online 'report it' function with a view to closing down public complaints to the email channel if possible; and
- Reviews the Local Enforcement Plan to remove impracticalities and make it consistent.

3 Reasons for Recommendation

- 3.1 The Review Panel heard views from a wide range of stakeholders during the review process. The review identified a number of strengths including staff resilience and experience, internal officer communication, digitalisation, the approval of a Local Enforcement Plan, recent ombudsman decisions, and the enforcement of large scale planning breaches in the public interest.
- 3.2 There was, however, some areas for improvement which involved communicating with the public, Councillors and Parish Councils particularly around caseloads and priorities, ensuring one point of contact for customers when reporting alleged breaches, introduction of KPI's and minor changes to the Local Enforcement Plan.

4 Alternative Options and Reasons for Rejection

- 4.1 NA

DOCUMENT INFORMATION

Appendix No	Title
1	Planning/Environmental Enforcement Scrutiny Review Report
Background Papers (These are unpublished works which have been relied on to a material extent when preparing the report. They must be listed in the section below. If the report is going to Cabinet you must provide copies of the background papers)	