



**Report Reference Number:** PR/18/5

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**To:** Policy Review Committee  
**Date:** 17 December 2018  
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**Title:** Planning Enforcement Management Plan

**Summary:** This report gives Policy Review Committee an up to date position on Planning Enforcement performance and provides an opportunity to comment on the draft Enforcement Management Plan (EMP). Following consideration by Policy Review Committee the report and plan will be presented to Executive for approval.

**Recommendation:**

**To note progress and provide comments on the draft Enforcement Management Plan prior to its consideration by the Council's Executive.**

**1. Background**

- 1.1 Enforcement was previously a corporate service governed by a multi-agency policy. As part of a wider review the decision was made to create a dedicated service within the Planning team in 2017.
- 1.2 Members will recall the report considered by Policy Review in July 2018 indicated a high case load and general perception of underperformance with approximately 400 outstanding cases, a significant proportion of which were high profile, broad impact matters.
- 1.3 At the time of the last report to Members the team consisted of one full-time consultant filling a maternity vacancy at Principal Officer level and one full-time junior Enforcement officer. The perception was that they were struggling with work load volumes leading to complaints from both Members and the public.

## **2. Initial Steps**

- 2.1 A Senior Enforcement Officer was recruited into the service in early 2018.
- 2.2 Further temporary experienced resource was added in June 2018 and a full review of the extent of the outstanding cases was undertaken. In addition an initial prioritisation of cases was undertaken and proactive approach to addressing these cases was instigated.
- 2.3 In addition the Principal Enforcement Officer returned from Maternity Leave in October 2018 and an additional junior enforcement post was created on a temporary basis to help address the backlog.
- 2.4 The overall caseload has now been reduced by around 25% despite the generation of new cases on a weekly basis. In addition response times and customer service is improving.
- 2.5 Agreeing a detailed Enforcement Management Plan (EMP) is the key step in optimising the Planning Enforcement service. Enterprise and other planned process changes will add further improvements to case load management.

## **3. Enforcement Management Plan**

### **Principles**

- 3.1 An Enforcement Management Plan (EMP) is a statement of the authority's commitment to planning enforcement. It lets residents know what to expect. We are publishing ours because the existing plan did not specifically address planning enforcement practice.
- 3.2 The key issues it needs to address in the Selby context are:
  - the historic perception that Planning Enforcement is not effective enough;
  - that we need more detail and transparency on areas of priority;
  - the need to take direct and decisive action; and
  - the need to be more proactive.
- 3.3 At the last submission this Committee fully endorsed the need for a more detailed and targeted policy. Substantial research of exemplars of EMPs has been done as well as reference to the National Planning Policy Framework (NPPF) Paragraph 207 specifically and generally on the latest guidance on form and content.

### **Proposal**

- 3.4 The draft plan is attached at Appendix A for comment.
- 3.5 Paragraph 207 of the National Planning Policy Framework states that 'Effective enforcement is important as a means of maintaining public

confidence in the planning system'. Government guidance further advises authorities should have a 'local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area'. This plan therefore complements the existing Corporate Plan.

- 3.6 This Planning Enforcement Management Plan sets the principles defining how we will respond to planning enforcement complaints and proactively work to resolve these issues.

#### **4. Legal/Financial Controls and other Policy matters**

##### **4.1 Legal Issues**

*Enforcement is discretionary and powers would be exercised in accordance with any policy adopted and enforcement principles.*

##### **4.2 Financial Issues**

The practice and process included in the draft Enforcement Management Plan reflects existing resource. Performance will be kept under review.

#### **5. Conclusion**

The draft Enforcement Management Plan is attached at Appendix A for comment.

#### **6. Background Documents**

Selby District Council Corporate Enforcement Policy  
[http://intranet.image.local/sites/default/files/Corporate\\_Enforcement\\_Policy.pdf](http://intranet.image.local/sites/default/files/Corporate_Enforcement_Policy.pdf)

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**Appendix A - Draft Enforcement Management Plan**