

Minutes

Policy Review Committee

Venue:	Committee Room - Civic Centre, Doncaster Road, Selby, YO8 9FT
Date:	Monday, 17 December 2018
Time:	5.00 pm
Present:	Councillors J Deans (Chair), J Cattanach, M McCartney and J Shaw-Wright
Officers present:	Martin Grainger, Head of Planning, Fiona Derbyshire, Planning Development Officer and Victoria Foreman, Democratic Services Officer
Others present:	None
Public:	0
Press:	0

15 APOLOGIES FOR ABSENCE

Apologies for absence were received from Councillor Karl Arthur.

16 DISCLOSURES OF INTEREST

There were no disclosures of interest.

17 MINUTES

The Committee considered the minutes of the meeting held on 11 September 2018.

RESOLVED:

To approve the minutes of the Policy Review Committee held on 11 September 2018 for signing by the Chair.

18 CHAIR'S ADDRESS TO THE POLICY REVIEW COMMITTEE

The Chair thanked members of the Committee and Officers for their work and support during 2018 and wished them all a Happy Christmas and a Good New Year.

19 PLANNING ENFORCEMENT MANAGEMENT PLAN (PR/18/5)

The Committee received a report from the Head of Planning and was asked to note the progress and provide comments on the draft Enforcement Management Plan, prior to its consideration by the Council's Executive, provisionally planned for February 2019.

The Head of Planning and the Planning Development Officer explained that the report gave Policy Review Committee an up to date position on Planning Enforcement performance and provided an opportunity to comment on the draft Enforcement Management Plan (EMP).

Members recalled the report considered by the Committee in July 2018, which 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.

The Committee noted that 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. A Senior Enforcement Officer had been recruited into the service in early 2018. 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. 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. The overall caseload had been reduced by around 25% despite the generation of new cases on a weekly basis; response times and customer service was improving.

Officers explained that the agreement of a detailed Enforcement Management Plan (EMP) was a key step in optimising the Planning Enforcement service.

Members discussed the draft EMP in detail and made a number of comments and suggestions. The Committee felt it should be made clearer that whilst there was still a backlog of historic cases, these were continuing to be worked through whilst the future of the service and improvements to it were developed at the same time.

In relation to the timescales for dealing with cases, Members felt it should

be clarified that the timescales listed in the EMP were the very maximum or 'worst case scenario', and it was likely that most cases would be responded to in a timelier manner. Members understood that some cases could take longer to resolve than others due to sensitive negotiations, and that flexibility was essential.

The listing of untidy land as a lower priority matter caused concern for some Members, as this was a topic that the public contacted their local Councillors about regularly. Officers explained that it was important to set realistic expectations for the public and Members, and that whilst every case would be taken on its own merit, there needed to be a framework to work within.

Unauthorised advertisements were also raised as an area of concern by the Committee, as they had a detrimental effect on the local area; Officers were asked to consider whether some forms of unauthorised advertising, i.e. in conservation areas, could be prioritised. However, Members did acknowledge that the prioritisation of some enforcement matters above others was difficult and there wasn't a 'one size fits all' that could be implemented across the whole District or within the EMP.

The Committee queried the resource available in the Planning Enforcement Team and asked Officers to confirm if they felt they had sufficient resource to tackle the existing backlog of cases, as well as dealing efficiently with new ones. Officers confirmed that they felt the service was now working efficiently, but that the matter should be monitored and looked at again around six to twelve months after implementation, to ensure that improvements within the service, as a result of the EMP, were continuing to be seen.

Members also indicated that some of the details and wording in the draft EMP could be streamlined and strengthened; the inclusion of elements replicating parts of the NPPF could offer opportunities to appellants where there was perceived to be a difference in the form of words on matters concerning responses to the processes for dealing with action. In order to keep the information in the EMP simple, further explanatory notes could be provided to accompany it when published online.

Proactive monitoring of the performance of the EMP and the Planning Enforcement Team was suggested as an essential component to the implementation and success of the plan. The Committee suggested that a Planning Sub-Committee be established to meet and monitor the progress of the enforcement caseload on a quarterly basis.

The Committee also requested that an all-Member briefing to formally launch the document take place following agreement of the EMP by the Executive.

RESOLVED:

- i. The Policy Review Committee welcomed the production of a
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Planning Enforcement Management Plan, and offered the following comments:

- a) that the time lines for action appeared to be too long, it needed to be emphasised that these were maximum response times; and
 - b) that the Plan was regarded as not being strong enough and was weakened by too many qualifications relating to available resources;
 - c) that the inclusion of elements replicating parts of the NPPF could offer opportunities to appellants where there was perceived to be a difference in the form of words on matters concerning responses to the processes for dealing with action.
- ii. The Committee recommended that a Planning Enforcement Sub-Committee be established to meet and monitor the progress of the enforcement case load on a quarterly basis.
 - iii. The Committee recommended that following approval by the Executive, an all-Member briefing session be arranged, at which the Planning Enforcement Management Plan would be launched.

20 WORK PROGRAMME 2019-20

The Committee considered the work programme and were asked to consider items for inclusion in the 2018-19 municipal year.

The Chair took the Committee through the current work programme and noted the upcoming items for the January and April 2019 meetings.

The Committee asked that following the next Universal Credit update in September 2019, the matter then be considered every 6 months.

Members also agreed that the Planning Enforcement Management Plan should be reconsidered by the Committee again six months after its initial implementation.

With reference to the other potential items for the future, Members agreed that Housing Need was an area they would like to consider in the future.

RESOLVED:

- i. To note the work programme for 2018/19.**
- ii. To ask the Democratic Services Officer to ensure that following the next Universal Credit update in September 2019, future updates on the running of the service to the Committee be scheduled every 6 months.**

- iii. To ask the Democratic Services Officer to add the Planning Enforcement Management Plan to the Committee's work plan for review six months after its implementation.**
- iv. To ask the Democratic Services Officer to add Affordable Housing and Housing Need to the Committee's work plan as a future topic for consideration.**

The meeting closed at 5.55 pm.