

Policy Group – 21 June 2017

Involving councillors in planning enforcement

1. Purpose of report

To review the approach to involving councillors in planning enforcement.

2. Key issues

In July 2014, improvements were made to the management information provided for councillors in relation to planning enforcement. These improvements came about following the recommendations of a policy development panel (PDP) that had been looking at a wide range of planning matters. At the April 2015 meeting of Council, councillors reviewed the management information provided to councillors about planning enforcement matters and the arrangements for involving councillors in decisions to take enforcement action and resolved to review them again at a future date. At the November 2016 meeting of the Policy Group, it was resolved that a report be submitted to a meeting of Policy Group in June 2017 reviewing the involvement of councillors in planning enforcement.

3. Recommendation

A report be submitted to Council recommending:

- (i) that the current management information in relation to planning enforcement continues to be provided to councillors; and
- (ii) that the current arrangements for councillors to request that Planning Committee consider enforcement action continues.

4. Policy issues

4.1 How will this affect the environment, social issues and the local economy?

Having a consistent and transparent way of dealing with breaches of planning contributes to the following corporate objectives: Protecting and enhancing the natural environment; Enhancing local communities and involvement; and Being an efficient and effective council.

4.2 Implications

4.2.1 Resources

The recommendations in this report can be delivered within existing budgets.

4.2.2 Equalities

None.

5. Further information

Planning enforcement management information currently provided for councillors

- 5.1 The management information that councillors currently receive in relation to planning enforcement matters is set out below. Officers believe that this is working well and do not propose any changes.
- 5.2 **New enforcement cases received this week** – a summary of all the enforcement investigations opened that week in response to allegations / inquiries. The list includes information about the allegation, location and case officer so that councillors can discuss any issues with the case officer if they wish to find out more information.
- 5.3 **Monthly status of enforcement cases currently open and not yet resolved** – a summary of all the current open enforcement cases. The list includes information about the allegation, location, current progress and case officer so that councillors can discuss any issues with the case officer if they wish to find out more information.
- 5.4 **Monthly status of enforcement cases where enforcement action has been taken** – a summary of all the current open enforcement cases where the Council has taken action. The list includes information about the allegation, location, the action taken, current progress and case officer so that councillors can discuss any issues with the case officer if they wish to find out more information.
- 5.5 **Enforcement cases closed this month** – a summary of all the enforcement cases that the Council has closed this month. The list includes information about the allegation, location, the action taken, case officer and the reason for closure (either no breach; no harm; or application submitted) so that councillors can discuss any issues with the case officer if they wish to find out more information.

Current procedure to request Planning Committee consider proposed planning enforcement action

- 5.6 When officers are proposing to take enforcement action, they email all councillors who then have 6 calendar days from receiving the email to request that the Planning Committee decide whether the action should be taken or not. If they do this, a meeting would take place between the councillor that has requested the referral, the General Manager Planning and Community Services or the Development Manager, the case officer and the Chair or Vice Chair or Planning Committee. At this meeting, attendees would discuss the issues and the reasons for the proposed referral. The Chair or Vice Chair would decide whether to refer the proposed enforcement action to the Planning Committee.
- 5.7 Since the Council meeting in April 2015, officers have advised councillors of 4 occasions when they intended to take enforcement action. To date, no councillor has requested that any of these cases be referred to Planning Committee. But officers consider that this arrangement is a good one and should continue.

Background papers:

There are none.

For further information contact:-

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