
MEETING	PLANNING ENFORCEMENT AD HOC SCRUTINY COMMITTEE
DATE	4 FEBRUARY 2009
PRESENT	COUNCILLORS HYMAN (CHAIR), DOUGLAS, PIERCE, WAUDBY AND WISEMAN
IN ATTENDANCE	COUNCILLOR MOORE

8. DECLARATIONS OF INTEREST

Members were asked to declare at this point in the meeting any personal or prejudicial interests they might have in the business on the agenda. None were declared.

9. MINUTES

RESOLVED: That the minutes of the meeting held on 15 December 2008 be approved as a correct record and be signed by the Chair.

10. PUBLIC PARTICIPATION

It was reported that there had been no registrations to speak under the Councils Public Participation Scheme on general issues within the remit of the Sub-Committee. However, Councillor Merrett had intended to speak at the meeting was unable to do so. He had, instead submitted his concerns by email. This was circulated to Members of the Committee and the Officers in attendance for their consideration

The email raised concerns in relation to key objective (v) of this review (to explore the impact of the Scrutiny Review on 'Powers of Enforcement - Take Aways' on the way planning enforcement is now conducted. Councillor Merrett suggested that Development Control should set up arrangements to periodically check up on late night establishments (mainly take-aways) to ensure that they were complying with both their planning conditions and licensing conditions. He also suggested that Development Control become involved in the Nightsafe Task Group to allow an integrated approach to managing the late night economy area to be developed.

Members of the Committee and the Officers present discussed the concerns raised in the email. Planning Enforcement Officers indicated that they only received 1 or 2 complaints per year regarding late night take-aways working outside their permitted hours and these were always

investigated. Anomalies between planning and licensing hours were beginning to be regularised now as licensees applied to bring both their planning and licensing hours in line with each other.

11. PLANNING ENFORCEMENT SCRUTINY - INTERIM REPORT

Consideration was given to the Interim Report, in particular to form some draft recommendations for inclusion in the draft final report and to approve the timetable for the remainder of the review.

Officers updated that there was an error in the table at paragraph 12 of the report. The table stated that Members would receive “ ideas and possible actions gathered from the Assistant Director (Planning and Sustainable Development) and Head of Development Control”. This was incorrect and Members would receive an update on progress so far in relation to the internal review.

Members then approved the timetable for the remainder of the review, with no amendment being made to the date of the meeting in March, nor any additional meetings deemed necessary. Officers confirmed the draft final report would be brought to the meeting on the 4 March 2009.

The Head of Development Control stated that he had no new information at this stage to update Members with and advised that as part of his review he wished to consult other colleagues within building control such as the Conservation Team who were also involved with planning enforcement. The Chair felt that the committee could continue to the final report with the information it already had and any further information collated by Development Control would be more relevant to the department’s own internal review.

Following further discussion the Committee suggested the following draft recommendations for inclusion in the final report:

- 1) Senior level managers to prioritise new complaints on a weekly basis
- 2) That the timescales given to individuals to respond to enforcement letters are tightened to allow less time.
- 3) New cases be reported to all members on a weekly basis, split by Ward.
- 4) Once trigger points are reached on Section 106 Agreements, they are referred to legal for them to pursue sooner than present.
- 5) Section 106s to be included on the planning portal.
- 6) Enforcement Officers to have access to mobile communication technology/media.

- 7) High Visibility coats to be marked up with CYC Enforcement Officers to be worn by Planning Enforcement Officers.
- 8) As additional Human Resources become available, look into the possibility of deploying extra staff to Planning Enforcement, possibly on a temporary basis until backlogs are cleared.
- 9) The Committee recommends that SMC revisits the Take Away review as it is not clear if all the recommendations were implemented.
- 10) A briefing note by Development Control to go to the Executive Member for City Strategy highlighting the possibility of the use of the Land Charges register to assist with planning enforcement.
- 11) That an update be given on when Members and Officers can be used as witnesses in Planning Enforcement cases.

RESOLVED: (i) That the proposed timetable for the remainder of the review as set out in paragraph 12 of the Officers report be approved as set out below:

:

4 th February 2009	- To receive an update from the Head of Development Control - To formulate some draft recommendations
4 th March 2009	To receive a draft final report.

(ii) That the proposed recommendations as outlined above would form the basis of the final draft report.¹

REASON: To ensure compliance with scrutiny procedures and protocols and work plans.

Action Required

1. That the draft recommendations be amended and agreed GR for inclusion in the Final Report

Councillor Hyman, Chair

[The meeting started at 2.30 pm and finished at 4.05 pm].