
MEETING	PLANNING ENFORCEMENT AD HOC SCRUTINY COMMITTEE
DATE	7 OCTOBER 2008
PRESENT	COUNCILLORS HYMAN (CHAIR), DOUGLAS, PIERCE, I WAUDBY AND WISEMAN
IN ATTENDANCE	COUNCILLOR MOORE

1. DECLARATIONS OF INTEREST

Members were invited 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.

2. PUBLIC PARTICIPATION

The Chair reported that no registrations to speak had been received under the Council's public participation scheme.

3. SCOPING REPORT

Consideration was given to the suggested scoping report and timetable for the Planning Enforcement Scrutiny Review. The review aims to identify ways of bringing enforcement cases to an earlier completion through reviewing City of York Council's approach to planning enforcement and court action.

Officers updated that a change was required to the timetable on page 5 of the report. Reference to a meeting on 7 November should read 7th October. Also that recommendation (d) on page 7 of the report should refer to paragraph 13 rather than paragraph 12.

Documents detailing Planning Enforcement figures for the East Area since June 2003, the possible routes to be taken by Enforcement Officers and the Executive Summary for a review into the Powers of Enforcement – Take Aways were distributed and are attached to these minutes at Annexes A, B and C.

The Authority's Head of Development Control gave Members a presentation entitled Planning Enforcement At York, attached at Annex D of these minutes. This gave Members an overview of Planning Enforcement at a local and national level, in particular the regulations that apply and the processes involved in tackling breaches of planning control.

Following on from the presentation, Members discussed the issues surrounding planning enforcement, in particular the timescale involved when bringing an enforcement case to a conclusion. Officers suggested that as part of the review it would be beneficial for Members to look at the current timetables for each stage of the enforcement process to establish where improvements can be made. Members went on to highlighted a number of other issues that were of concern to them such as :

- The role developers play in causing delays if any.
- The possibility of timings being introduced for the different stages of the enforcement process.
- How likely the authority is to bring court action against an individual.
- Whether delays are standard across all authorities
- If minor breaches could be tackled differently.

Members briefly discussed what they would like to see the review focused on but it was decided that queries such as the above, would be looked at in greater detail at future meetings.

Councillor Douglas expressed an interest in spending a day with an enforcement officer to obtain an overview of a typical day in the department and to see what the role involves.

In reference to the timetable for the review, Members suggested an additional meeting in December to enable the review to progress and it was decided that a training course on Planning Enforcement be held after the review.

RESOLVED: (i) That subject to the following changes to the timetable for the review, approval be given to the proposed timetable and scoping:

<p>Meeting 2 (informal meeting) on 5 November 2008. 1.30pm Start.</p>	<p>Presentations and discussions in relation to Key Objectives(iii), (iv) and (v).</p> <p>The Assistant Director (Planning and Sustainable Development) and Head of Development Control will give a presentation on the above key objectives.</p> <p>The following people will be invited to join the discussions after this:</p> <ul style="list-style-type: none"> ❑ Enforcement Officers ❑ Representative from Legal Services ❑ Planning Area Team Leaders ❑ Chair of the West and City Centre Planning Sub –
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	Committee and the recent Chair of the East Area Planning Sub Committee.
Meeting 3 December, tbc.	<ul style="list-style-type: none"> □ To receive an interim progress report.
Meeting 4 (formal) Mid January 2008	<ul style="list-style-type: none"> □ To receive feedback from the evidence gathering session in the form of an interim report. □ Ideas and possible actions arising from the information gathered from the Assistant Director (Planning and Sustainable Development) and Head of Development Control
Meeting 5 (formal)	<ul style="list-style-type: none"> □ Draft Final Report (by April)

- (ii) That the Chairs of the West & City Centre and East Area Planning Sub-Committees be invited to attend the November meeting.¹
- (iii) That Members be updated on what recommendations have been followed up and what SMC have advised following the Powers of Enforcement – Takeaways Review.²
- (iv) That Enforcement figures for West & City Centre area be circulated to Members.³
- (v) That no co-optee be involved in the review.
- (vi) That a training course on Planning Enforcement be held after the review
- (vii) That there was no need to call the Chair and Vice Chair of the Powers of Enforcement – Take Aways Scrutiny review.

REASON: To ensure the progression of this review and compliance with Scrutiny procedures, protocols and work plans.

Action Required

- 1. Invite the Chairs of East and West & City Centre Planning Committees to the meeting on 5 November GR
GR

2. Report back to Committee what recommendations have been followed up and what SMC have advised following the Powers of Enforcement – Takeaways Review.3 GR
3. Distribute Planning Enforcement figures for West & City Centre to Members

Councillor Hyman, Chair

[The meeting started at 5.00 pm and finished at 6.25 pm].