

Planning Enforcement Ad Hoc Scrutiny Committee 5th November 2008

Presentation of Assistant Director (Planning and Sustainability) and Head of Development Control on Key Objective (v)

(v) To explore the impact of the Scrutiny Review on Powers of Enforcement Takeaways on the way planning enforcement is now conducted

1 Note: The Scrutiny Panel's recommendations published in the agenda of 7th October 2008 meeting, recommendation 3 of the Panel's Recommendations published on 23rd October 2008 having been omitted. The following relates to recommendations on the 7th October 2008: -

1) Penalty Notice Support bid in the remit of Environmental Regulation

2) Use of technology to integrate Planning Regulatory and Licensing functionality is being coordinated by colleagues in IT. In the meantime The UNIFORM system provides information including conditions imposed on takeaways since 1996. This information is available to other Council departments. Environmental Regulation does now has access to UNIFORM, and can check for new takeaway applications received to enable them to comment. Limited information on Planning Enforcement cases is also available.

3) An enforcement protocol has been formulated and now being implemented. The Licensing Authority, Police, Fire, Environmental Protection Unit, Trading Standards meet on regular basis to discuss problem premises whether licensed or takeaways. Resulting from the Scrutiny and working with the above agencies conditions are attached to takeaway licences - for example conditions to reduce litter, noise nuisance or to prevent crime and disorder for example insisting on CCTV, Pager systems employing door staff. Working relationship with other Directorates is informal. Officers speak to each other, share information and apportion work depending on their statutory function

4) Risk assessments for loan working have been carried out and published. If there is a requirement for late night visits they are always carried out by officers in pairs, as are any other visits where there is potential for conflict, and using a Council vehicle where appropriate. Planning Enforcement use unmarked vehicles.

5) Both "marked" and "unmarked" pool cars are available during the day and in the evening, the latter subject to pre-booking. Planning Enforcement officers have permits valid for most Council owned car parks and residents parking zones in the City.

6) Enforcement officers have to date not processed their own prosecutions because of the lack of any although; officers have received training from Legal Services on how to prepare prosecution files. At least one enforcement officer has undergone Court Training, and officers have attended additional training in relation to formal cautions and prosecution procedures. Training budget is set aside for appropriate courses as and when they become available.

7) A 2007 internal report into the staffing resource shortfalls in Planning identified a requirements for dedicated enforcement and appeals administrative support, although resources and budgets constraints and other workload pressures for Support Services have to date prevented this issue from being addressed.

8) The equipment listed is available to Development Control and Enforcement staff, and can be purchased where replacement or additional equipment required.

2 In summary the impact and implications of the Takeaways Scrutiny Panel has been largely felt elsewhere in the Authority rather than within the Planning Enforcement.