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MEETING	PLANNING ENFORCEMENT AD HOC SCRUTINY COMMITTEE
DATE	18 MAY 2009
PRESENT	COUNCILLORS HYMAN (CHAIR), DOUGLAS, PIERCE, WAUDBY AND GALVIN (SUBSTITUTE)
APOLOGIES	COUNCILLOR WISEMAN

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## **20. DECLARATIONS OF INTEREST**

At this point in the meeting members were asked to declare any personal or prejudicial interests they may have in the business on this Agenda. None were declared.

## **21. MINUTES**

RESOLVED: That the minutes of the meeting held on 15 April 2009 be approved as a correct record and be signed by the Chair.

## **22. 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.

## **23. PLANNING ENFORCEMENT - DRAFT FINAL REPORT.**

Members were presented with the draft final report of the 'Planning Enforcement Ad Hoc Scrutiny Committee' and the 8 recommendations which had arisen from the Committees review.

Planning Officers advised the financial implications section of the report should make reference to potential monies required, for the purchase of mobile technology for the Planning Enforcement Team.

The Chair thanked all Officers involved with this Scrutiny Committee for their hard work.

RESOLVED: That subject to the following amendments to the recommendations of the 'Planning Enforcement Ad

Hoc Scrutiny Committee, the Final Report be agreed.<sup>1,2.</sup>

### Recommendation 1

That the Head of Development Control:

- (i) Prioritise new complaints/cases.
- (ii) **Shorten the response time to letters sent in relation to breaches of planning regulations where there is discretion to do so.**
- (iii) Introduce a weekly **list** detailing new planning enforcement cases split by Ward.

Reason: To ensure that all cases are dealt with in a timely manner and that Ward Members are kept fully informed of new enforcement cases in their area.

### Recommendation 2

That, once trigger points are reached and payment has not been received, Section 106 Agreements are promptly passed to Legal for action.

Reason: To ensure City of York Council can pursue non-payment of Section 106 Agreements in a timely manner.

### Recommendation 3

That Section 106 Agreements, including **the schedule of obligations** be placed on the planning portal.

Reason: To ensure transparency in the process.

### Recommendation 4

- (i) That the expenditure of Section 106 monies be made entirely in accordance with the Councils Financial Regulations.
- (ii) **That a regular report be presented to the appropriate Planning Sub-Committee detailing where monies have been spent.**

Reason: To ensure that Section 106 monies are spent appropriately.

### Recommendation 5

- (i) **Necessary** mobile communication technology (**e.g.:** laptop, mobile phone, PDA, laser rule) subject to the outcome of the pilot scheme to be undertaken by Building Control and to funding being available.

- (ii) A first response kit and any appropriate training to use this.

Reason: To ensure the safety of Planning Enforcement Officers and to allow them to easily gather and record information when on site visits.

#### Recommendation 6

That Planning Enforcement Officers be issued with high visibility jackets marked with 'CYC Planning Enforcement Officer' and these should be worn at appropriate times.

Reason: To enable Planning Enforcement Officers to be easily identified.

#### Recommendation 7

That the Head of Development Control make **planning staff** available to help with planning enforcement when possible.

Reason: To reduce the number of outstanding cases.

#### Recommendation 8

That the results of the Development Control Internal Review be fully communicated to all departmental staff.

Reason: To ensure that all members of the department are fully aware of the outcome of the Internal Review.

Members then suggested that the following additional recommendation be added:

#### Recommendation 9

**That the Final Report of the Planning Enforcement Ad Hoc Scrutiny Committee be circulated to all Members involved with Planning Committees.**

#### Action Required

1. Scrutiny Officer to write cover report for the approved review final report for presentation at the next meeting of SMC TW  
GR
2. Item to be added to the Executive Forward Plan to enable agreed Final Report to be presented to the Executive following its consideration by SMC.

Councillor Hyman, Chair

[The meeting started at 1.30 pm and finished at 2.30 pm].