

Name of Committee:	Overview and Scrutiny Committee		
Committee Date:	30 January 2024		
Report Title:	Planning Enforcement Service		
Responsible Officer:	Alex Robinson – Executive Head of Place		
Cabinet Lead:	Cllr Elizabeth Lloyd – Planning, Environmental Health, Climate Change inc. Water Quality		
Status:	Non-Exempt		
Urgent Decision:	No	Key Decision:	No
Appendices:	Appendix 1 – Planning Enforcement Overview Appendix 2 – Planning Enforcement Service Review		
Background Papers:	None		
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Report Number:	HBC/70/2024		

Corporate Priorities:

This paper is submitted to the Overview and Scrutiny Committee following a review of the planning enforcement service in June 2023 and the implementation of the action plan to improve the service that will help to deliver the ambitions set out in the Corporate Strategy.

Executive Summary:

The Council's planning enforcement service undertakes a range of investigative activities covering complex areas of planning law. The following report and appendices provides an overview of planning enforcement as well as summarising the work the Council is doing to implement the recommendations of a service review that was undertaken in June 2023.

Recommendations:

That members note the information, evidence and data presented.

1.0 Introduction

- 1.1 The purpose of this document is to set out the Council's approach to planning enforcement in the borough. It also provides details of the service review that was undertaken in June 2023 and the steps officers are taking to implement the recommendations.

2.0 Background

- 2.1 Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary and local planning authorities should act proportionately in responding to suspected breaches of planning control.
- 2.2 Many Councils across England face unprecedented pressures, including in planning enforcement. The sector faces considerable pressures around recruitment and retention with many Councils experiencing backlogs as a result. The Council's planning enforcement team has also experienced similar issues and is in a period of transition.
- 2.3 Appendix 1 sets out an overview of the legal and policy position around planning enforcement. It also provides a summary of recent performance over the last 12 months, including data on complaints received and cases closed. The data demonstrates that there has been a significant improvement in the number of cases closed, particularly in the last six months.
- 2.4 The service has been subject to internal review (attached at Appendix 2) which has set out a number of operational reforms to improve the approach how the service is operating. In addition to these the service has moved across into Place to allow it to align more closely with the Council's planning department.
- 2.5 The Council will seek to continuously improve its planning enforcement service by regularly monitoring, reviewing and updating its policies and procedures as a matter of good practice. The Council will be preparing a revised Local Enforcement Plan in order to set out how it will manage enforcement proactively in a way that is appropriate to Havant. It will also set out how the Council will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate.

3.0 Options

3.1 This report is for noting. .

4.0 Relationship to the Corporate Strategy

4.1 This paper is submitted to the Overview and Scrutiny Committee following a review of the planning enforcement service in June 2023 and implementing the action plan to improve the service that will help to deliver the ambitions set out in the Corporate Strategy.

5.0 Conclusion

5.1 The Council's planning enforcement function has not been without its issues, many of which reflect wider national pressures. The service is in a period of transition and is currently implementing a number of recommendations from an internal service review conducted in June 2023. The early indications are that the measures are having a positive impact on the cases being closed.

5.2 The Council will continue to work to implement the recommendations of the service review and will keep the performance of the service under review.

6.0 Implications and Comments

6.1 SS151 Comments – Members should be content that there are no financial implications arising from the report. The review will not lead to any pressures outside of the existing budgets. However, it is also worth noting that whilst an important service, planning enforcement is discretionary (or non-statutory) service.

6.2 Financial Implications – There are no financial implications arising from the report.

6.3 Monitoring Officer Comments - The role that the Overview and Scrutiny Committee plays in holding the Council to account makes it fundamentally important to the successful functioning of local democracy. Effective scrutiny helps secure the efficient delivery of public services and drives improvements within the authority itself.

- 6.4 Legal Implications - There are no legal implications arising from the report.
- 6.5 Equality and Diversity - There are no equality and diversity implications arising from the report.
- 6.6 Human Resources - There are no human resource implications arising from the report.
- 6.7 Information Governance - There are no information governance impacts arising from the report.
- 6.8 Climate and Environment - There are no climate change implications arising from the report.

7.0 Risks

- 7.1 There are no notifiable risks arising from the content of the report.

8.0 Consultation

- 8.1 No consultation has taken place on the report.

9.0 Communications

- 9.1 No communications implications are considered likely.

Agreed and signed off by:		Date:
Cabinet Lead:	Cllr Elizabeth Lloyd	18/01/2024
Executive Head:	Alex Robinson	18/01/2024
Monitoring Officer:	Jo McIntosh	22/01/2024
Section151 Officer:	Steven Pink	18/01/2024