

ARUN DISTRICT COUNCIL

REPORT TO AND DECISION OF PLANNING COMMITTEE ON 25 MAY 2022

SUBJECT: Updated Planning Compliance Strategy

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DATE: May 2022

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AREA: Place - Planning

1.0 EXECUTIVE SUMMARY

The Council last amended its Compliance Strategy in 2019 ([Planning-Compliance-Strategy.docx \(live.com\)](#)). To better manage the available resources and the significant number of reported alleged breaches of planning control.

The strategy is proposed to be amended as per the attached document (Appendix 1).

2.0 RECOMMENDATIONS

To approve the amended Planning Compliance Strategy 2022 (Appendix 2) on the basis that.

- Work will be ongoing on creating a new digital complaint form that makes it easier for complainants to provide the required information. This form will be in place within three months of the adoption of this Strategy.
- Work to monitor and include performance targets specified in the Strategy will be sought, subject to Technical Services Unit constraints, within three months of the adoption of this strategy.
- An explanatory breach of planning control Note and further discussions/procedures with the Council's Contact Centre to assist with the ending of the Council's Duty Planner service will take place within three months of the adoption of this strategy.
- Before formal adoption Town/Parish Councils will be informally consulted to enable them to address concerns that members of their Parish may raise with them.

3.0 PROPOSAL

3.1 The planning department has been working towards a revised strategy since August last year. Several meetings have taken place with the enforcement officers designed to amend the strategy. The purpose is to streamline the strategy so that only those breaches that are seen to be harmful are given priority.

3.2 Work has also been progressing to introduce an information leaflet which will signpost those complaints that can be addressed by reference to other documents. For example, the leaflet would inform complainants that breaches which are Permitted Development are not subject to planning control and therefore will not be investigated. This will be completed within 3 months of the date of the Committee and it will sit alongside the Strategy.

3.3 At the moment the Council continues to receive a number of enforcement cases that it is not able to deal with due to difficulties in recruiting replacement enforcement officers. Instead of a full complement of 5 officers it currently has one part time officer. Work is currently taking place to source consultants to progress Compliance work and Officers are investigating partnership arrangements with nearby authorities so that this work can be carried out.

3.4 The Council last amended its Enforcement Strategy in 2019 ([Planning-Compliance-Strategy.docx \(live.com\)](#)).

3.5 The changes are under:

- Section 4 'Planning Enforcement Objectives' where the objectives have been simplified to be more understandable to the public.
- Section 5 'Key Principles' reference to providing a duty planning service removed. Within three months of adoption of this updated Strategy the Duty Planner service will end and be replaced by the provision of an explanatory breach of planning control note and where the Council's Contact Centre cannot satisfactorily deal with customer enquiries on alleged breaches an alternative planning mailbox will be provided.
- Section 6 General Principles reference will be added to make clear that enforcement action will not be taken for all breaches and breaches will be directed to where resources are most appropriate.
- At the end of section 7 'What is a Breach of Planning Control' an additional sub section will be added to say that some breaches where they cause negligible, or no harm will not be investigated.
- The list to section 8 'Reporting a Breach' setting out the information required when reporting a breach will be extended and stated that without all that information being provided may result in complaint returned and not being investigated.
- A new section 10 'Case Priority' will be incorporated into the strategy with those cases falling into Priority 4 will be dealt with without being formally registered.

3.6 The recommendations proposed will update the Council's Compliance Planning strategy to enable the available resources to be directed only to breaches that are resulting in significant planning harm. This will have the benefit of managing public expectation by being made clearly aware of where enforcement resources will be directed. This will mean that officer time will be freed away from the bulk of complaints that relate to minor levels of harm to deal with those that result in significant harm.

3.7 The Planning Committee was provided with an executive summary of the findings on the Hannaby Planning Solutions Ltd. who were appointed by the Council to review the Planning Service.

3.8 Several recommendations were put forward to lead a change programme that will deliver the necessary procedural, performance and cultural changes needed to improve the service and resolve its difficulties. This updated Compliance Strategy is seen to be part of that change.

4.0 OPTIONS:

Alternatively, the Compliance Strategy can remain as it is with the danger that customers will be given unrealistic levels of service that will mean that more unsustainable levels of complaints will be received with an increase in customer dissatisfaction.

5.0 CONSULTATION:

Has consultation been undertaken with:	YES	NO
Relevant Town/Parish Council		x
Relevant District Ward Councillors		x
Other groups/persons (please specify)		x

6.0 ARE THERE ANY IMPLICATIONS IN RELATION TO THE FOLLOWING COUNCIL POLICIES: (Explain in more detail at 6 below)

	YES	NO
Financial	x	
Legal		x
Human Rights/Equality Impact Assessment		x
Community Safety including Section 17 of Crime & Disorder Act		x
Sustainability		x
Asset Management/Property/Land		x
Technology	x	
Other (please explain)		

7.0 IMPLICATIONS:

To make necessary changes to capture more information the production of a new online form is required, and additional funding may be required that will need to be found from the planning budget to complete this

8.0 REASON FOR THE DECISION:

To improve and speed up the Council's Planning Compliance service.

9.0 BACKGROUND PAPERS:

Planning Compliance Strategy 2019 - [Planning-Compliance-Strategy.docx \(live.com\)](#)

