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**MEETING:** PLANNING CONTROL COMMITTEE

**DATE:** 12 OCTOBER 2004

**SUBJECT:** PLANNING ENFORCEMENT SERVICE AND  
CUSTOMER CHARTER FOR THE PLANNING  
ENFORCEMENT SERVICE

**REPORT FROM:** BOROUGH PLANNING & ECONOMIC DEVELOPMENT  
OFFICER

**CONTACT OFFICER:** TOM MITCHELL- DEVELOPMENT MANAGER

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**TYPE OF DECISION:** COUNCIL

**REPORT STATUS:** For Publication

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**PURPOSE/SUMMARY:**

To inform the Committee on the progress of the Planning Enforcement service. To obtain the agreement of the Committee to a consultation process on the document "Customer Charter for the Planning Enforcement Service" and the interim adoption of this draft document prior to the completion of the consultation process.

**OPTIONS AND RECOMMENDED OPTION:**

That the progress of the Planning Enforcement service is noted and that the Committee agree to the consultation process on the Charter and the interim adoption of the draft document prior to the completion of the consultation process.

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**IMPLICATIONS -**

<b>Financial Implications and Risk Considerations</b>	Within existing resources N/A
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**Corporate Aims/Policy Framework:**

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Do the proposals accord with the Policy Framework? Yes

Are there any legal implications?  
**Considered by Monitoring Officer:**

No  
Yes  Comments

**Statement by Director of Finance  
and E-Government:**

**Staffing/ICT/Property:** Within existing resources

**Wards Affected:** All

**Scrutiny Interest:**

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## TRACKING/PROCESS

**DIRECTOR: Philip Allen**

Chief Executive/ Management Board	Executive Member/ Chair	Ward Members	Partners
Scrutiny Panel	Executive	Committee	Council

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## 1.0 BACKGROUND

In March 1998 Bury Council agreed to adopt the principles of the Government supported initiative entitled the "Enforcement Concordat". This initiative is aimed at increasing fair, open and consistent enforcement activities by Local Authorities and other enforcement agencies. The proposed "Customer Charter for the Planning Enforcement Service" addresses these aims.

In order to address the quality of planning enforcement service provided by the Council resources to address Planning Enforcement issues within Development Control have been increased to provide two full-time Planning Enforcement Officers. This involved two experienced Planning Enforcement Officers being recruited to the Development Control Section in December 2003. These officers were given the remit of overhauling Bury's Planning Enforcement Service.

Figures for the Planning Enforcement Service show that this increase in resources had an immediate beneficial impact to the Planning Enforcement service within Bury.

Best Value Performance Indicators have been introduced by the Greater Manchester Authorities in anticipation of National indicators being introduced by the Government. The Greater Manchester Authorities produce B.V.P.I.'s for their Planning Enforcement Service every 6 months (from 1<sup>st</sup> April).

A table of the Planning Enforcement figures for Bury is detailed below.

<b>6 month period</b>	<b>01/04/03 - 30/09/03</b>	<b>01/10/03 - 31/03/04</b>	<b>01/01/04 - 30/06/04</b> (period following resource increase)
Nos. of complaints Received	182	194	248
Percentage visited within 10 working days	72	75	96
% resolved within 13 weeks	90	68	95
Enforcement Notices Served	0	0	9

Member's attention is drawn to Column 3 detailing the 6 month period following the increase in resources and the increase in performance.

Furthermore, Member's attention is also drawn to the increase in numbers for complaints received. Should complaints continue to be received at the present levels then over 500 enquiries would be received by the end of 2004.

This significant increase in complaints comes at a time when the Enforcement Service is looking to provide a more proactive service on monitoring conditions imposed on planning permissions.

The Enforcement Service continues to resolve most planning issues through negotiation. However, should this not be successful then more formal action may be required. The increase in resources has enabled the Department to address the more serious breaches of planning control occurring within Bury with the service of Planning Enforcement Notices to remedy those breaches.

As part of the overhaul of the Enforcement Service a customer satisfaction survey was carried out with 67 questionnaires being sent out to users of the Planning Enforcement service in 2003. Over 50% of the respondents gave a satisfaction rating for the Enforcement Service received of between average and very good. However, the issue of greater communication with the complainant was the main area of dissatisfaction. The Enforcement Customer Charter seeks to address this issue.

## **2.0 PROPOSAL**

It is proposed to introduce a Customer Charter for the Planning Enforcement Service to outline the standard of Planning Enforcement Service that can be expected from the Council. The Charter will detail how to make a complaint and seeks to briefly outline the Planning Enforcement Service in a clear and concise manner without over reliance on planning jargon.

Furthermore, the proposed Charter seeks to highlight the prioritising of complaints to ensure that resources are targeted to the more serious breaches of planning control and proactive monitoring of planning conditions.

Prior to the introduction of this Charter it is propose to undertake a consultation process on the document. In the interim period the document will be adopted in its draft format.

### **3.0 CONCLUSION**

Members are asked to note the improvements in the Planning Enforcement Service and are asked to agree to the consultation process on the Charter and the interim adoption of the draft document prior to the completion of the consultation process.

The Economy, Environment and Transport Scrutiny Commission paste considered the proposed charter at its meeting on the 21<sup>st</sup> September when it requested that the charter be amended to be more open to anonymous complaints and this has been incorporated into the attached draft.

Subject to the approval of the Draft Enforcement Charter by the Planning Control Committee it is proposed to carry out the following consultation process:-

1. Issue a press release announcing the draft Charter and asking for comments.
2. Post the details of the draft Charter on the Council's web site.
3. Liaise with other Council departments involved in Enforcement activity.
4. Write individual letters seeking comments on the draft Charter to:-
  - (a) Those who responded to the customer survey questionnaire carried out in 2003.
  - (b) Those who have made complaints about breaches of planning control over the past 3 months.
  - (c) Those who have been complained about in the past 3 months.

The intention is to carry out the consultation immediately following the meeting on the 12<sup>th</sup> October and report back the responses to the meeting of the Economy, Environment and Transport Scrutiny Commission on the 25<sup>th</sup> November followed by the meeting of the Planning Control Committee on the 14<sup>th</sup> December for final approval.

**BRIAN DANIEL**  
**BOROUGH PLANNING & ECONOMIC DEVELOPMENT OFFICER**

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**List of Background Papers:-**

Customer Charter for the Planning Enforcement Service – Draft Version

**Contact Details:-**

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