

**HOUSING AND PLANNING DELIVERY GRANT PROPOSALS FOR 2008/9 - ENFORCEMENT
Agenda Item 7c**

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Background Papers:- Report to Cabinet on 9th October 2008
Financial Implications:- Those identified in report to Cabinet on 1st September 2008;
£25,510 in 2008/09 and £25,510 in 2009/10
Equalities Implications:- N/a
Legal Implications:- N/a
Options: To agree or reject the proposals
Risks: The risks of an insufficiently resourced planning and environmental health enforcement function leading to complaints from local communities and a risk to the Council's reputation in relation to the enforcement of statutory powers.

EXECUTIVE SUMMARY

At Cabinet meeting on 1st September, members approved the proposed allocation of the Housing and Planning Delivery Grant for 2008/09. However, the Leader requested that a report be presented to this Cabinet meeting regarding the additional enforcement resources that were proposed. This report provides further detail on the specific functions of the 2-year Planning and Environmental Health Enforcement Officer post.

DECISION

To agree the allocation of an element of the Housing and Planning Delivery Grant for the funding of a 2-year Planning and Environmental Health Enforcement Officer post, shared between the Council's District Development and Environment Directorates.

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For the financial year 2008/09, the Council has received £258,494 as Housing and Planning Delivery Grant (HPG). The detail of how this funding would be allocated to support planning, housing, enforcement (planning and environmental services) and rural affairs services was set out in the report to Cabinet on 1st September. Within this spending is an allocation of £25,510 for an additional Planning and Environmental Health Enforcement Officer. This represents the spending on the first year of a 2 year temporary contract for such a post. This follows the recommendations of the Enforcement study that resources for both Planning and Licensing Enforcement should be increased.

The Council is currently funding a 2 year temporary contract for a Planning and Environmental Health Enforcement Officer (through Planning Delivery Grant) and it is, in part, due to the success of this post that further support is required. The Officer performs a dual enforcement role supporting both the planning and environmental health functions of the Council.

Within Planning the new post will enable a more proactive approach to be taken and will provide further support in the following areas:

- Checking that recently granted planning permissions are being implemented in accordance with the conditions of the permission;
- providing support to the Council's Landscape Services team in the enforcement of TPO legislation and the enforcement of conditions requiring tree protection measures and new landscaping;
- providing support to the small Planning Enforcement team (within the Development Control service) in the exercise of some of its functions.

The Council's Development Control service handles around 2,500 planning applications every year. Many of these are granted permission with conditions requiring the applicant to provide further details before commencing the development. It is these decisions that are the main focus of the work of the post-holder. With this support the Council can react more speedily to complaints about development sites and be more proactive in its communications with developers about pre-commencement conditions.

Since the last Cabinet meeting it is of note that the Government has announced the introduction of changes to the permitted development regime for householders. It is very likely that these changes, which come into effect on 1st October 2008, will lead to an increase in enforcement complaints as the awareness of the new regime grows.

Within Environmental Health the new post will provide further support to actively pursue licensing enforcement issues. This would have particular reference to partnership working with trading standards for sales of alcohol to underage children in accordance with the LAA, and the proactive enforcement of conditions on all licensed activities, some 2000 licenses annually. The newly introduced Gambling Act will add an additional burden to the Licensing team, along with the expected changes to the Licensing Act which will also have an enforcement requirement.