

SCRUTINY COMMITTEE

Need to Review Recommendations of Working Group

1. Information.

1.1 The Scrutiny Committee set up a working group to look into Planning Enforcement activity, or rather lack of it, within Mid Devon District Council

1.2 A report was prepared:

***Planning Enforcement in Mid Devon District Council
September 2021***

A review by a Working Group of the Mid Devon District Council Scrutiny Committee

1.3 The report was presented to, and accepted by, Scrutiny Committee on the 13th September 2021 and contained 12 recommendations. Updates as to progress on the implementation of those recommendations have been reported to Scrutiny Committee from time to time since that date.

1.4 This paper deals with the progress, or more correctly the lack of, implementation of two of those recommendations – Numbers 6 and 8.

2. Recommendation 6.

2.1 *6. That a Subgroup of the Planning Committee be established to monitor issues within Planning Enforcement. This standing Enforcement Advisory or Working Group would review performance, deadlines and outstanding cases, and report back to the Planning Committee.*

2.2 This recommendation has never been implemented and from a verbal report to Scrutiny at an update meeting it appears that Officers decided against implementing this recommendation. The brief reason given was that there was no need as enforcement matters were being dealt with by the Cabinet Member for Continuous Improvement.

2.3 Some successes have been reported and there has certainly been more activity in the issuing of various notices. There is little evidence of some major breaches being resolved, some of which prompted the formation of the working Group in 2020 and it held its first meeting in March 2021. Performance reports are brought to the attention of the Planning Committee but these are only ‘raw figures’ with no detail.

2.4 There are a number of high interest breaches which still appear to continue and whereas members, when enquiring, are advised of ‘negotiations’ and ‘dialogue’ the breaches continue to the concern of members and interested members of the public.

2.5 It is suggested that Scrutiny Committee again visit this recommendation with a view to it being implemented and at least members will be more aware and hopefully have some input.

3. Recommendation 8.

3.1 *8. That the Local Enforcement Plan be rewritten to consider the views and recommendations of this report and to take into account more enhanced versions from other Local Authorities, notably the East Devon model. That the new Enforcement Plan be submitted to the Scrutiny Committee for consideration prior to submission for adoption by Planning Committee.*

3.2 If one looks on the MDDC Website one will find:

Enforcement Policy Statement November 2005
Local Enforcement Plan April 2018

3.3 There is no up to date document in compliance with recommendation 8 although there have been approaches to some members to assist with it.

4. Suggested Outcome.

4.1 That an item be placed on the Scrutiny Committee work program for a report to be prepared as to the current position with these two recommendations. Scrutiny Committee can then review the position and make further recommendations.

5. Report Author.

5.1 The paper author is Councillor Barry G J Warren who was Chairman of the Working Group and currently Leader of the Council.