



**South
Cambridgeshire
District Council**

Report to:	Planning Committee 9 November 2022
Lead Cabinet Member:	Dr Tumi Hawkins
Lead Officer:	Stephen Kelly

Greater Cambridge Shared Planning Service Compliance Policy

Executive Summary

1. Members will be aware that a review of planning enforcement activities of the Greater Cambridge Shared Planning Service (GCSPS) is being undertaken. The aim is to create a unified approach to handling planning enforcement activities under the revised label of compliance. This term relates well to national guidance which advises Councils to enforce planning law in a proportionate manner where it is expedient to do so. The objectives are to create a streamlined and effective planning compliance service which is valued and understood by members and the public, with clear timetables for responses, to contact and resolution of issues.

Key Decision

2. No

The key decision was first published in the September 2022 Forward Plan.

Recommendations

3. It is recommended that South Cambridgeshire District Council Planning Committee endorse the Greater Cambridge Shared Planning Compliance Policy for public consultation.

Reasons for Recommendations

4. To provide an updated plan for planning compliance matters within the Greater Cambridge Shared Planning Service.

Details

5. Members will be aware that a review of planning enforcement activities of the Greater Cambridge Shared Planning Service (GCSPS) is being undertaken. The aim is to create a unified approach to handling planning enforcement activities under the revised label of compliance. This term relates well to national guidance which advises Councils to enforce planning law in a proportionate manner where it is expedient to do so. The objectives are to create a streamlined and effective planning compliance service which is valued and understood by members and the public, with clear timetables for responses to contact and resolution of issues.

Activities

IT

Although the Uniform IT system has been introduced for GCSP, until recently the Module relating to enforcement had not been brought into use. Work has been ongoing in the form of an Audit and training which has enabled the Module to be used. The use of the Uniform Enforcement Module enables improved reporting mechanisms for all parties, including members, and allows the use of automated replies, update reminders and related features. Alongside this piece of work the issue of remote and mobile access to data is being explored.

Website

Improving access to planning compliance information has been an aim alongside the general review of the “customer journey” seeking to ensure the public are more easily able to navigate to find the information they require, so they can interact with the Councils and the Shared Planning Service. The target is to enable 80% of interactions to be self-service. Until August, although a complaint about some planning issue may be submitted online by South Cambridgeshire residents, this was not the case for Cambridge City. Planning Compliance information and advice has now been moved to the GCSPS website, in an updated form which enables complaints to be submitted via an e-form, including the ability to upload multiple documents and photographs. Making the issues clearer may also help other services as well, as it is known that several complaints are initially directed to wrong service, e.g., environmental health and vice versa and relate to issues that are not breaches of planning control. An explanatory video has been included. The e-form used for complaints links directly into back-office systems and prevents matters being lost or misdirected, thereby improving efficiency.

Internal processes and procedures

Accompanying the website and IT improvements there has been a review of internal processes and procedures with the aim of improving efficiency.

Enforcement Register

Councils are obliged to provide a register of Enforcement Action and keep this up to date. Separate registers are currently published on their respective websites by each Council in different formats. In the past this has been a manual process with the potential of missing items but improvements to the IT system safeguard against that and in the future, it is intended to publish this information via the Public Access system, which is automated.

Compliance Plan

Government guidance is also that Councils should consider publishing a local compliance plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development, and take action where appropriate. Previously each Council had its own compliance plan, but these were written some years ago. This document has been created to update these and cover the two Council areas in a single document.

This new document sets out:

- what is and what is not a breach of planning control,
- the responsibilities of the owner, occupier and users of a development in the event of a breach of control,
- the priorities and response times in dealing with complaints and breaches
- possible outcomes in terms of investigations
- the powers available to the Councils to take action where required.

Attention is drawn to the targets included in the document which are new, and will require the close attention of officers and adequate resources if they are to be met.

The Levelling Up and Regeneration Bill, introduced to Parliament in May 2022 includes several changes to the planning system, including planning enforcement. There will be a need to review this Plan once this Bill is passed and the primary and secondary legislative changes are known. Regular review of our approach should be undertaken in any case.

The draft compliance plan is being reported to the Planning Committee of each Council prior through proceeding through the formal process of approval by the relevant Cabinet/Portfolio Holder.

Options

6. There are three options;

- To have no Planning Compliance Policy
- To remain with the status quo of different enforcement/compliance policies for each Council.
- To update and align the compliance policy for the Greater Cambridge Shared Planning Service

No Compliance Policy

Although planning enforcement is not a statutory service, it is discretionary, this would create a reputational risk to the shared planning service with regard to its planning function. Members of the public expect local planning authorities to operate a robust and transparent compliance service. To have no planning compliance policy would indicate it is considered a low priority for the Council.

Retain Existing Planning Enforcement Manual

The Council could retain and operate under its existing planning enforcement manual. However, this was last published in 2001, over 20 years ago (See Appendix B). Whilst the fundamentals of planning enforcement have remained broadly similar under the Planning Acts, the service has moved on significantly since this time, particularly given it is now operating as a shared service.

New Planning Compliance Policy for the GCSPS

This provides an opportunity to align the compliance service across both Councils. This will enable the service to operate under a consistent set of parameters in terms of investigating breaches of planning control. As a result it will provide clarity for staff, residents and Members across both Councils as to how the shared planning service manages compliance investigations. In terms of public perception, there is also an opportunity to promote a “compliance” approach, with enforcement action often being the last resort to resolve breaches of planning control.

Implications

7. In the writing of this report, taking into account financial, legal, staffing, risk, equality and diversity, climate change, and any other key issues, the following implications have been considered:-

There are no significant implications.

Consultation responses

8. No public consultation has currently been undertaken. A public consultation process would begin for a minimum of 4 weeks if the South Cambridgeshire

District Council Planning Committee endorse the GCSP Planning Compliance Policy for public consultation. The consultation period is expected to run in November and December 2022.

Background Papers

n/a

Appendices

Appendix A: Greater Cambridge Shared Planning Compliance Policy V2.1 Final Draft

Appendix B: South Cambridgeshire District Council Planning Enforcement Manual 2001

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