

RURAL, ECONOMIC AND ENVIRONMENTAL AFFAIRS COMMITTEE**29th MAY 2013****REPORT OF HEAD OF REGULATORY SERVICES****PARISH COUNCIL ENFORCEMENT PROJECT****1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to present to the Committee an update on the Parish Council Enforcement Project. Members will recall this was established following deliberation by the Committee on 16th March 2011. This report is an annual update of progress on the project as required by that authorisation.

2.0 RECOMMENDATIONS

- 2.1 **It is recommended that the content of this report is noted.**

3.0 KEY ISSUES

- 3.1 The Council adopted a procedure to permit Parish Council's to engage with officers over planning enforcement issues, including initial investigation into complaints and the carrying out of some enforcement duties. This operates on an entirely voluntary basis and comprises 'stratified' level of involvement from which Parish Councils can choose, to ensure they are participating at a level they are comfortable with. They can move from level to level in the system, for example if their confidence develops or, conversely, if there is new Membership requiring a fresh start. Detailed training is provided to participating Parish Councils prior to taking on any of the work, and officers provide guidance and reporting material to assist implementation and secure effective liaison with the Council.
- 3.2 Parish Councils were trained at different points during 2012 and as such a complete year's activity has only recently expired. Since the training of the Parish Council's has been completed, the opportunity for those Parishes to participate have been limited, either by there being a limited number of issues within their Parishes and/or the level and type of investigation not being within the remit of the Parish Council Enforcement Project, i.e. Listed Building control etc. (the scope of investigations and exclusions forms part of the initial basis on which the Parish Councils participate).
- 3.4 Parish Council involvement comprises reporting on developments that have taken place, gathering information about the developments and having discussions with property owners and complainants and making reasoned recommendations on subsequent courses of action are as follows:

Parish Council	Number of Investigations
Asfordby	5
Clawson Hose and Harby	0
Waltham	0
Wymondham	2
Somerby	1

- 3.4 Asfordby Parish Council have had more opportunity of being involved in a number of enforcement investigations, reflecting the size of their Parish, the level of development activity and because they were the first PC to complete training. Asfordby PC have commented:

“The Parish Council welcomes this opportunity to work in partnership with the Local Planning Authority as it has provided residents with a quick, efficient and effective local service”

- 3.5 The project has attracted external attention because of its innovative approach and synergies with the ‘localism’ agenda and the Lead Enforcement Officer was invited to present to the National Enforcement Officer’s Forum in Manchester in October last year.

Following the conference, it was reported:

“Andrew Dudley, Enforcement Team Leader with Melton Council, talked about his involvement in developing an enforcement regime that utilises the resources of Parish Councils. Given the lack of resources available and the fact that 75% of complaints are generated by the Parishes themselves, he has devised a four level approach, whereby all complaints are logged with a proper procedure, initial investigations are carried out by trained parish councillors, there is then a thorough consideration of the issues, and finally (although this has yet to be implemented) formal action if necessary. It is fair to say that a lot of delegates raised serious concerns about this “localism in action” and Andrew himself was at pains to acknowledge that not all his Parishes were signed up to the idea. However, as an example of thinking outside the box to achieve solutions it was an invigorating workshop.”

- 3.6 Officers and participating Parish Councils were aware that the project would present new challenges, in terms of the involvement of Parish Council office holders, who are not direct employees of the Council, and the question of interests and local relationships. However, from the limited number of investigations undertaken to date, none of these concerns have been realised.

- 3.7 Similarly, concerns that disputes may arise between the Council and participating Parish Councils about how breaches of planning control should be addressed have not been realised; to date all of the cases investigated by Parish Councils have been addressed in a manner agreed without dispute by the Council.

4.0 POLICY AND CORPORATE IMPLICATIONS

- 4.1 This project is still in its infancy and it is hoped that it will gather momentum to enable more enquiries to be dealt with at a local level. The enforcement service is considered to be a high profile and important area of the Council’s work, particularly regarded as such amongst key partner agencies in the Planning and Licensing fields, and the Project was initiated to improve its performance through service improvements.

5.0 FINANCIAL AND OTHER RESOURCE IMPLICATIONS

- 5.1 There are not financial implications arising from this report and have been none from the operating of the project.

5.2 The impact on the existing enforcement resources has been limited due to the level of inactivity in a number of the areas that the Parish Councils are included within. The setting up of the projects, particularly the arrangement of training for participants, had a short term impact on staff resources but was met from within the existing establishment.

6.0 LEGAL IMPLICATIONS/POWERS

6.1 There are no legal implications arising from this report. The necessary legal provision were made prior to any Parish Council taking on an investigation.

7.0 COMMUNITY SAFETY

7.1 There are no community safety issues to be considered.

8.0 EQUALITIES

8.1 There are no equalities issues to be considered.

9.0 RISKS

9.1 There are no risks arising from this report.

10.0 CLIMATE CHANGE

10.1 There are no implications for Climate Change.

11.0 CONSULTATION

11.1 Consultation would be carried out as part of the process of adopting the byelaw

12.0 WARDS AFFECTED

12.1 All.

Contact Officer: Andrew Dudley

Date: May 2013

Reference : Q : Committee

Background Papers: Report to REEA Committee 1.03.2011 'Regulatory Services Enforcement Project'