

BROMSGROVE DISTRICT COUNCIL

OVERVIEW AND SCRUTINY BOARD

October 2013

PLANNING POLICY TASK GROUP – 12 MONTH REVIEW OF RECOMMENDATIONS

1. SUMMARY

This Recommendation Tracker lists all recommendations made by the Overview and Scrutiny Board Planning Policy Task Group.

2. RECOMMENDATIONS

That the Board notes the 12 Month Review of Recommendations and agrees to the removal of any items which have been completed, with the outstanding items being placed on the Quarterly Recommendation Tracker..

Date of O&S Board	Recommendation	Date Considered by Cabinet	Comments on action taken to implement the recommendation(s)							
10th September 2012	<p><u>Recommendation 1</u></p> <p>(a) where conditions have been attached to a planning application and monitoring is required then the Planning and Enforcement team should allow for this to be discharged fully to the required level of detail that the condition(s) specify within their work. This should be carried out, irrespective of the cost, to ensure that the conditions are met and where appropriate, enforced;</p> <p>(b) the applicant be made aware at the earliest possible stage of the need to ensure that these conditions are adhered to and properly monitored in line with the conditions applied; and</p> <p>(c) where the planning officer recommends refusal of a planning application and the Planning Committee go against the recommendation, sufficient time should be given within the Planning Committee Meeting to discuss conditions.</p>	4th July 2012	July		Oct	√	Jan (2014)		April	
			<p><u>Cabinet comments:</u></p> <p>Recommendation 1(a) as amended was noted. It was still felt however there should be a mechanism whereby Planning officers would consult in advance with the Finance Department regarding the likely costs of enforcing particular conditions and the availability of a budget to meet these. In addition it was queried whether financial constraints on the Authority or the applicant would be a valid consideration when determining a planning application.</p> <p>The Portfolio Holder for Planning undertook to discuss this further with the relevant officers.</p> <p>Recommendations 1(b) and 1(c) agreed.</p> <p><u>September 2013</u></p> <p><i>b) applicants are made aware at the earliest possible stage. Any concerns raised in respect of conditions not being adhered to will be investigated however there are in sufficient resources to monitor compliance on all applications.</i></p> <p><i>c) This occurs at Planning Committee or is delegated to Officers by the Planning Committee.</i></p>							

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10th September 2012	<p><u>Recommendation 2</u></p> <p>(a) that a review of the Bromsgrove Standard Planning Conditions be carried out as soon as practicably possible, but within six months of this report being presented to the Cabinet; and</p> <p>(b) that Planning officer training be formalised to ensure appropriate conditions are identified for routine and non-routine applications.</p>	4th July 2012	July		Oct	√	Jan (2014)		April	
			<p><u>Cabinet Comments</u></p> <p><u>Recommendation 2</u></p> <p>(a) agreed</p> <p>(b) this was agreed but in addition it was felt that a suitable level of Member training in this regard should also be undertaken to assist Members in understanding the appropriateness of conditions.</p> <p>Implementation date – January 2013</p> <p><u>September 2013</u></p> <p><i>a) This has commenced through Transformation but not yet completed due to staffing turnover issues.</i></p> <p><i>b) Through Transformation a system has been put in place whereby more than one officer considers conditions for an application in conjunction with the draft conditions list.</i></p>							
10th September 2012	<p><u>Recommendation 3</u></p> <p>It is recognised that on occasion there will be need for some form of community engagement for example a public meeting(s). This will act as a forum to improve lines of communication and is to be developed between senior officers and residents in respect of larger more complex planning applications. This</p>	4th July 2012	July		Oct	√	Jan (2014)		April	
			<p><u>Cabinet Comments</u></p> <p>Agreed</p> <p>Implementation date – ongoing</p> <p><u>September 2013</u></p> <p><i>This continues to be ongoing, recent consultations have taken place in Hagley and at Whitford Road.</i></p>							

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	would be a recommendation from the Planning Committee and reviewed periodically by that Committee.									
10th September 2012	<u>Recommendation 4</u> That a detailed review of the Planning Enforcement Policy, which was adopted in April 2011 (as encouraged in Section 8 – Conclusion), be carried out giving particular attention to Sections 4 – Enforcement Procedures (Informal) and 7 – Council’s Commitment to Complainants.	4th July 2012	July		Oct	√	Jan (2014)		April	
			<u>Cabinet Comment:</u> Agreed Implementation date – this will form part of the on going transformation process. <u>September 2013</u> <i>This will occur, if necessary, when the Enforcement process is considered through the Transformation process.</i>							
10th September 2012	<u>Recommendation 5</u> That a case officer be appointed and remain responsible as the point of contact for each enforcement case to ensure continuity and an electronic case file be set up and open to view by colleagues and management.	4th July 2012	July		Oct	√	Jan (2014)		April	
			<u>Cabinet Comment:</u> Agreed Implementation date – this will form part of the on going transformation process. <u>September 2013</u> <i>The Transformation process has shown that an officer dealing with a case in its entirety is more appropriate and this now happens.</i>							

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10th September 2012	<u>Recommendation 6</u> That a mechanism be put in place to ensure that enforcement cases are recorded and regularly up dated with a audit trail of actions and documents and correspondence on the electronic system accessible via the Council's 'Orb'.	4th July 2012	July		Oct	√	Jan (2014)		April		<u>Cabinet Comment:</u> Agreed Implementation date – this will form part of the on going transformation process. <u>September 2013</u> <i>Cases in Enforcement are electronically managed through a “shared” folder, however due to the nature of them it is not appropriate for them to be accessible via the Orb.</i>
10th September 2012	<u>Recommendation 7</u> That the Planning Committee receives a quarterly report in respect of all new and outstanding planning enforcement cases.	4th July 2012	July		Oct	√	Jan (2014)		April		<u>Cabinet Comment:</u> Agreed Implementation date – January 2013 <u>September 2013</u> <i>This is currently provided on a 6 monthly basis.</i>
10th September 2012	<u>Recommendation 8</u> That thorough the Transformation programme a review and mapping exercise be carried out in respect of the	4th July 2012	July		Oct	√	Jan (2014)		April		<u>Cabinet Comment:</u> Agreed

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	process post planning application approval stage and that the results of this be shared with the Overview and Scrutiny Board.		Implementation date – this will form part of the on going transformation process. <u>September 2013</u> <i>Enforcement is not yet at the Transformation stage.</i>							
10th September 2012	<u>Recommendation 9</u> That the Internal Audit Report recommendations be supported and included within the Overview and Scrutiny Board’s Quarterly Recommendation Tracker report to ensure that progress on the implementation is monitored in an appropriate and timely manner.	4th July 2012	July		Oct	√	Jan (2014)		April	
			<u>Cabinet Comment:</u> Agreed Implementation date – with immediate effect. <u>September 2013</u> <i>Recommendations from this report and comments are attached at Appendix 1 of the tracker.</i>							
10th September 2012	<u>Recommendation 10</u> That a quarterly report be made available to the Overview and Scrutiny Board to enable Members and officers to be aware of repeat or common themed compliments and complaints (in order to address such complaints).	4th July 2012	July		Oct	√	Jan (2014)		April	
			<u>Cabinet Comment:</u> Agreed Implementation date – work already implemented. <u>September 2013</u> <i>In place</i>							
10th September	<u>Recommendation 11</u> That all Heads of Service ensure	4th July 2012	July		Oct	√	Jan (2014)		April	

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2012	<p>mechanisms are in place to ensure that when a service request escalates to the extent that there is or could be a critical failure of any nature, they are immediately made aware of the situation and</p> <p>(a) that Heads of Service ensure all staff are made aware of and understand the definitions of a complaint; and</p> <p>(b) that the Head of Customer Service provides additional guidance in respect of recording service requests which may also be a valid complaint.</p>		<p><u>Cabinet Comment:</u> Agreed Implementation date – work already commenced.</p> <p><u>September 2013</u> <i>Head of Customer service - Guidance and training provided. Complaints discussed at CMT quarterly. HOS responsible for monitoring and actions on complaints within their own service.</i> <i>Head of Planning – all service requested signed off on iCase by Head of Planning and discussed at Team Meetings.</i></p>									
10th September 2012	<p><u>Recommendation 12</u> That the Head of Customer Service and Human Resources work together to establish a mandatory management training programme to:</p> <p>(a) ensure that all managers of the Council are given support to enable them to respond, both verbally and in writing, to all customers in a timely and</p>	4th July 2012	July		Oct	√	Jan (2014)		April		<p><u>Cabinet Comment:</u> Agreed Implementation date – work already commenced.</p> <p><u>September 2013</u> <i>Guidance and training provided to all Managers, including complaints process, handling complaints and advanced communication skills for dealing with</i></p>	

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	<p>appropriate manner, with regular reviews of the success of such training carried out; and</p> <p>(b) the Overview and Scrutiny Board receive regular updates to ensure this has been implemented.</p>		<p><i>complex complaint cases.</i></p> <p><i>On going support provided where identified as necessary. Complaints process one of the authorities mandatory policies for all staff to ad via our online Netconsent system. This system requires all staff to add and acknowledge certain policies and procedures as part of their computer log on process.</i></p>

INTERNAL AUDIT REPORT – Ad Hoc Investigation: Marlbrook Tip

Recommendation	Comment on actions taken to implement recommendation
<p>1. <u>Planning Approval</u></p> <p>Where a planning application may result in the approval including a significant number of conditions, that the Planning Committee is made aware of:</p> <ul style="list-style-type: none"> • the resources needed to effectively monitor compliance; • whether there are suitably qualified and/or experience officers within the Council; and • if not, what outsourcing arrangements would be required. 	<p><u>September 2013</u></p> <p>Where there are concerns about capacity in respect of planning, the Head of Service would need to raise these corporately with agreement to go through the procedure to attempt to secure extra resources.</p>
<p>2. <u>Monitoring Arrangements</u></p> <p>That for any future similar developments and in order to provide clear accountability monitoring should be undertaken by officers and/or a group with suitable experience and expertise and the authority to make decisions.</p>	<p><u>September 2013</u></p> <p>When the need arises the Head of Service would ensure resources are available for this to take place.</p>

Recommendation	Comment on actions taken to implement recommendation
<p>3. <u>Enforcement Action</u> That where a development is considered unusual (for example, due to size, longevity) responsibility for enforcement action is allocated to a named officer in order to provide a single point of contact.</p> <p>It is acknowledged that officers leave the Council's employment or may not be available for whatsoever reason; however, in such instances handover of responsibility should take place.</p>	<p>See Recommendation 5 of the main report. An officer now deals with a case in its entirety and an electronic system is in place.</p>
<p>4. <u>Complaint Handling</u> That officers are provided with training to recognise a complaint and ensure that these are handled utilising the Customer feedback database.</p>	<p>This has been action as detailed in Recommendation 11 of the main report above.</p>
<p>5. <u>Communications</u> That the Council gives consideration to providing updates to residents. It is acknowledged that such communications have a cost; however, this may be outweighed by the reduction in complaints.</p>	<p>See Recommendation 3 of the main report. Meetings within the community have taken place in respect of several large planning applications.</p>