

**YORKSHIRE DALES NATIONAL PARK AUTHORITY – PLANNING ENFORCEMENT FUNCTION ACTION PLAN
JUNE 2009**

Tasks to be completed by 15 June 2009		
Task	Details	Timescale
Agree proposed strategy for caseload reduction	Draft strategy submitted 15 May 2009 and discussed at meeting at Yoredale held on 18 May 2009. Draft strategy amended following meeting on 18 May 2009 and re-submitted 12 June 2009. Final strategy signed off at meeting held at Yoredale on 15 June 2009.	15 June 2009
Agree new categories for re-prioritisation of outstanding caseload	Draft harm based assessment categories for high, medium and low priority cases submitted 15 May 2009 alongside draft strategy. Categories amended following meeting on 18 May 2009 and re-submitted 24 May 2009 alongside re-prioritisation of existing caseload. Final categories signed off at meeting held at Yoredale on 15 June 2009.	15 June 2009
Identification of 'backlog' (Step 1)	Outstanding caseload agreed by BB/ND and cases allocated where possible on PACS. List forwarded to MHP on 21 May 2009.	15 June 2009
Re-prioritisation of existing caseload (Step 2)	Initial re-prioritisation undertaken by MHP and forwarded to AMc on 26 May 2009. Reviewed by AMc, BB and ND Thursday 28/Friday 29 May 2009 and amended list forwarded to MHP on 5 June 2009. Areas of disagreement reviewed and resolved at meeting held at Yoredale on 15 June 2009.	15 June 2009

Tasks to be completed by 15 June 2009		
Task	Details	Timescale
Re-allocation of existing caseload (Step 3)	Allocation of caseload reviewed by AMc, BB and ND Thursday 28/Friday 29 May 2009. Unallocated cases primarily allocated to either Planning Officers (mainly non-compliance cases) or contract Enforcement Planning Officer. Final allocations agreed at meeting held at Yoredale on 15 June 2009.	15 June 2009
Appointment of contract Enforcement Officer	Duncan Mackay commenced contract on 15 June 2009.	15 June 2009
Action plan	Draft action plan to take forward a range of long term improvements to the operation of the Authority's planning enforcement function signed off at meeting held at Yoredale on 15 June 2009.	15 June 2009

Tasks to be completed post 15 June 2009		
Task	Details	Timescale
Final Closure Report	Final closure report (to contain as many low priority closures as possible) presented to Planning Committee on 14 July 2009.	To Planning Committee meeting on 14 July
Amended Scheme of Delegation	Existing scheme of delegation to be amended to delegate to appropriate officers delegated powers to take (or not to take) enforcement action, as follows: <ul style="list-style-type: none"> • Head of Planning (or Deputy in his absence) plus Chair of Planning (or Deputy-Chair in his absence) <ul style="list-style-type: none"> ○ To authorise the service of Stop Notices ○ To authorise the service of Temporary Stop Notices 	To NPA meeting on 29 Sept 2009

Tasks to be completed post 15 June 2009		
Task	Details	Timescale
	<ul style="list-style-type: none"> • Principal Planning Officer <ul style="list-style-type: none"> ○ To sign off in expediency reports ○ To authorise the service of Breach of Condition Notices ○ To authorise the service of S215 (Wasteland) Notices ○ To authorise the service of S225 (Posters and Placards) Notices ○ To authorise the service of notices under the provisions of S20 of the Cumbria Act 1982 (Removal of Advertisements) • Enforcement Officer <ul style="list-style-type: none"> ○ To serve Planning Contravention Notices <p>All delegated decisions to be reported to first available meeting of the Authority's Planning Committee</p>	
Prepare New Inexpedient Procedures	<p>Agree new procedures for closing cases where limited harm and where it is determined that no public interest would be served by the taking of enforcement action. New procedure to be based on the following:</p> <ul style="list-style-type: none"> • In expediency report prepared by Enforcement Officer (<u>copy of sample report as appendix</u>) • In expediency report signed off by Principal Planning Officer • Letter and copy of in expediency report sent to complainant(s) • No consultation on 'merits' of in expediency closure • Decision reported to first available meeting of the Authority's Planning Committee 	To NPA meeting on 29 Sept 2009
Draft New Enforcement Policy	<p>Prepare and adopt an enforcement policy for the Authority. Policy to include the following:</p> <ul style="list-style-type: none"> • An outline of the importance of planning enforcement to the successful 	To NPA meeting on 29 Sept 2009

Tasks to be completed post 15 June 2009		
Task	Details	Timescale
	<p>delivery of the Authority's planning function</p> <ul style="list-style-type: none"> • Details of how to register a concern • Categories of prioritization • Performance targets relating to initial response times to be to inspect 80% of sites within the following timescales: <ul style="list-style-type: none"> ○ High priority – 7 working days ○ Medium Priority – 14 working days ○ Low Priority – 28 working days • Details of range of enforcement notices available to the Authority • Scheme of officer delegation relative to enforcement 	
Amended Committee Reporting Procedures	<p>Existing monthly 'closure report' and quarterly 'enforcement report' to be discontinued (including use of 16 week closure target).</p> <p>New monthly 'delegated decisions' report to be presented for information only. Report to contain information on delegated decisions to:</p> <ul style="list-style-type: none"> • authorise the service of Stop Notices • authorise the service of Temporary Stop Notices • authorise the service of Breach of Condition Notices • authorise the service of S215 (Wasteland) Notices • authorise the service of S225 (Posters and Placards) Notices • determine that it would be inexpedient to take enforcement action <p>New quarterly 'planning service' report to contain statistical information relative to both development control and enforcement. With respect to enforcement report to contain:</p>	From October 2009 onwards

Tasks to be completed post 15 June 2009		
Task	Details	Timescale
	<ul style="list-style-type: none"> • Number of new investigations per quarter (and types of breach) <ul style="list-style-type: none"> ○ Unauthorised operational development (building, engineering, mining, other) ○ Unauthorised material change of use ○ Unauthorised works to a listed building ○ Unauthorised demolition in a conservation area ○ Unauthorised display of an advertisement • Number of closed investigations per quarter (and mechanism for closure) <ul style="list-style-type: none"> ○ No breach identified ○ Breach – inexpedient ○ Breach – resolved ○ Breach – retrospective permission granted ○ Breach – enforcement action taken • Number outstanding at end of quarter • Performance against targets for initial site inspections • Update on status of outstanding authorities for action and notices served 	
Role of Deputy Head of Planning	Deputy Head of Planning to ensure consistency between teams in interpretation of policy, procedures and in decision making. And to monitor performance.	1 October 2009
Role of Principal Planning Officers	Need to ensure new that newly appointed Principal Planning Officers fully understand their joint responsibility for delivering the Authority's enforcement function. New role to include responsibility for the following:	1 October 2009

Tasks to be completed post 15 June 2009		
Task	Details	Timescale
	<ul style="list-style-type: none"> • Weekly case meetings with Enforcement Officers to discuss and advise on individual cases (i.e. whether there is a breach, whether it is lawful and whether it is expedient to pursue). It is essential that this take place as early as possible in order to prevent 'stagnation' of cases • Monthly 'team' meetings with other Principal Planning Officer/Enforcement Officer to discuss matters such as caseloads, procedural and policy matters, review of PACS etc. • Responsible for the following under the Scheme of Delegation: <ul style="list-style-type: none"> ○ signing off inexpediency reports ○ authorising the service of Breach of Condition Notices ○ authorising the service of S215 (Wasteland) Notices ○ authorising the service of S225 (Posters and Placards) Notices ○ authorising the service of S20 Cumbria Act (Removal of Advertisements) Notices 	
Role of Planning Officers	Develop a protocol for the involvement of Planning Officers in the identification and resolution of breaches of planning control relating to non-compliance with approved plans or conditions attached to planning permissions or other consents. This to include definitions of areas of responsibility for Planning Officers, Enforcement Officers and Planning Assistants.	1 October 2009
Role of Enforcement Officers	The role of the Enforcement Officer at the early stages of an investigation is crucial. Enforcement Officers will receive the majority of new 'complaints' directly. They will: <ul style="list-style-type: none"> • Complete the initial case record (yellow sheet) • Attach an initial priority to the case (high, medium, low) 	1 October 2009

Tasks to be completed post 15 June 2009		
Task	Details	Timescale
	<ul style="list-style-type: none"> • Pass the record to Planning Technicians to enter onto PACS, plot, check constraints, prepare file and return within 3 working days • Inspect the site, record evidence (photographs, notes, interviews etc) • Discuss with Principal Planning Officer at weekly case meetings 	
Role of Planning Assistants	Need to ensure that the Planning Assistants support the area teams across the board, i.e. development control, enforcement and development monitoring	1 October 2009
Role of Planning Technicians	<p>Ensure Planning Technicians provide adequate resource to Enforcement Team including undertaking the following key tasks:</p> <ul style="list-style-type: none"> • Enter new cases into PACS and plot site boundary/location • Acknowledgement letter to complainant(s) • Check relevant constraints • Prepare case file (including retrieving planning history where relevant) • Pass to Enforcement Officer within <u>3 working days</u> of receipt 	1 October 2009
Development Monitoring	<p>The monitoring of development sites is critical to the delivery of the Authority's planning function. It is essential therefore that the Authority develop a robust Development Monitoring System (DMS). This can be based on:</p> <ul style="list-style-type: none"> • Issuing 'start notices' with the grant of planning permission (<u>copy of LLTNPA start notice for example</u>) • Liaison with Building Control at the relevant Local Councils • Establishing a data-base to recording monitoring information, discharge of conditions, satisfactory completion of development, etc. 	Longer term
PACS	Review use of PACS to ensure proper recording of case related	Longer term

Tasks to be completed post 15 June 2009		
Task	Details	Timescale
	information including plotting of sites, generation of standard letters/reports, recording and generation of enforcement notices (for register) , provision of information for monthly 'delegated decisions' report and quarterly 'planning services' reports	