

**Subject:** 6 Monthly Development Management Performance Report

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## **1.0 Introduction and recommendation**

1.1 The report sets out the 6-month performance of the Development Management team, following the new reporting periods and detail as agreed by the Committee at the meeting on 2<sup>nd</sup> September 2021. This report therefore captures some of the same data previously presented.

1.2 It is recommended that the Committee notes the contents of the report, offering any comment as appropriate, particularly in respect of the draft Enforcement Procedure discussed at section 6.0.

## **2.0 Background**

2.1 Statistics are reported each quarter to the Ministry of Housing, Communities and Local Government (MHCLG). These are known as the 'PS1 and PS2' returns.

2.2 PS1 largely concerns itself with overall application numbers received, those determined (including whether delegated or by Committee/Panel), prior notifications and prior approvals, and enforcement action taken. PS2 concerns itself with the speed of decision making, including how many are determined within statutory targets or mutually agreed periods (e.g. by way of a Planning Performance Agreement (PPA)). The PS2 data looks at planning applications only (i.e. majors, minors and others, as described in the guidance found earlier in this agenda).

2.3 Government update annually the 'Improving Planning Performance - Criteria for Designation' which sets two separate and independent measures against which the performance of local planning authorities (LPAs) are assessed:

- the speed with which applications for development are dealt with; and
- the extent to which major decisions are overturned at appeal (as an indicator of the quality of the decisions made by LPAs).

2.4 The threshold for the speed measure is presently for 60% of a LPA's decisions on major applications to be made within the statutory or agreed period, and 70% for non-major applications, both measured over a two-year period. For the quality measure, this is 10% or more of a LPA's decisions on applications being overturned at appeal over a two-year period.

2.5 Corporate Performance Indicators (CPIs) present different thresholds. For major, minor and other applications, 80% are to be determined within the statutory or agreed period (each measured separately). Other forms of application, including prior notifications and prior

approvals, certificates of lawfulness and other applications not counted in the MHCLG returns also carry an 80% performance threshold.

### 3.0 Applications

3.1 The data for applications runs from 1<sup>st</sup> April 2021 to 30<sup>th</sup> September 2021. This includes many applications received in January and February onwards which will have fallen to be determined within the reporting period. However, there were several vacancies on hand at that time, with this continuing throughout the reporting period. The following table provides a summary of officer resource relative to normal conditions over this time:

<i>Full time equivalents</i>		<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>
Team Leader	<i>Actual</i>	2	2	2	2	2	2
	<i>Expected</i>	2	2	2	2	2	2
	<b>Capacity</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
Principal Planning Officer	<i>Actual</i>	1.9	1.9	1.9	1.9	1.9	2.8
	<i>Expected</i>	4.4	4.4	4.4	4.4	4.4	4.4
	<b>Capacity</b>	<b>43%</b>	<b>43%</b>	<b>43%</b>	<b>43%</b>	<b>43%</b>	<b>64%</b>
Senior Planning Officer	<i>Actual</i>	3	3	4	4	4	4
	<i>Expected</i>	4	4	4	4	4	4
	<b>Capacity</b>	<b>75%</b>	<b>75%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
Planning Officer*	<i>Actual</i>	5.6	5.6	6	5.6	5	6
	<i>Expected</i>	5.6	5.6	6	6	6	7.6
	<b>Capacity</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>	<b>93%</b>	<b>83%</b>	<b>79%</b>
Development Services Officer	<i>Actual</i>	2	3	3	3	3	4.5
	<i>Expected</i>	4	4	4	4	4	6
	<b>Capacity</b>	<b>50%</b>	<b>75%</b>	<b>75%</b>	<b>75%</b>	<b>75%</b>	<b>75%</b>
*2 officers at university 1 day/week September to May							
<b>Total officer capacity</b>		<b>73.6%</b>	<b>78.64%</b>	<b>83.64%</b>	<b>82.2%</b>	<b>80.30%</b>	<b>83.52%</b>

3.2 During this period the number of applications received has remained high, following an upturn towards the end of 2020, before falling back slightly in terms of householder applications over the summer. Interest for minor and major proposals is trending similar to 2019, although higher overall. Year on year, the number of applications received in 2020/21 was 7% higher than the previous year, and after 32 weeks of 2021/22 there is a further 5% increase on top of 2020/21 figures. To illustrate the significance of the rise, in the first 32 weeks of 2020/21 1,883 applications were received. The same period in 2021/22 saw 2,225 applications received – providing 342 extra applications to consider over this time, or around 10 extra applications per week.

3.3 The Development Management team has been carrying several vacancies over the last year, in particular at the Principal Planning Officer level, which has significantly impacted on the number of officers with delegated authority to sign-off decisions on a planning application. This situation is not unique to Milton Keynes Council and reflects a critical shortage of available experienced planning officers nationally. As a result, many local authorities are experiencing similar issues with delays to the determination of planning applications. This issue was clearly highlighted by Planning magazine’s annual resources survey earlier in the year. It identified that

over half of local authority respondents found it hard to recruit professional planners. In addition, the majority identified the hardest jobs to fill are those for principal officers. This is also our experience where recruitment for Principal Planning Officers on two separate occasions, prior to the recent recruitment campaign, attracted no suitable candidates to apply.

3.4 In light of these challenges, significant effort has been focused on creating additional capacity within the Development Management team. Over recent months this has included:

- A recruitment campaign, with targeted use of market supplements, which has been largely successful in attracting high quality candidates that will fill many of the current vacancies. This includes:
  - An Enforcement Team Leader, a Senior Planning Officer, two new Planning Officers and two Development Services Officers who have all recently joined the team, as well as advertising for an additional Development Services Officer to backfill a vacancy created by an internal promotion.
  - Two Principal Planning Officers who will be starting either by the end of the year or early next year.
  - Appointing a Development Management Improvements Manager and Customer Relationship Manager who will be starting early next year.
  
- Use of interim agency contractors. We had been successful in bringing in additional resource through a Senior Enforcement Officer, following the allocation of funding in the budget last year. However, they have very recently left the team and will now need to be replaced. In addition, a highly experienced Interim Service Development Manager is currently supporting the work of team more widely. Securing high quality and reliable cover for the Principal Planning Officer vacancies has been extremely challenging. This again reflects the state of the national market and is not unique to Milton Keynes.
  
- Developing a resource within the Placemaking Service, as part of Urban Design and Landscape Architecture (UDLA), that would service any PPAs on behalf of the local planning authority.

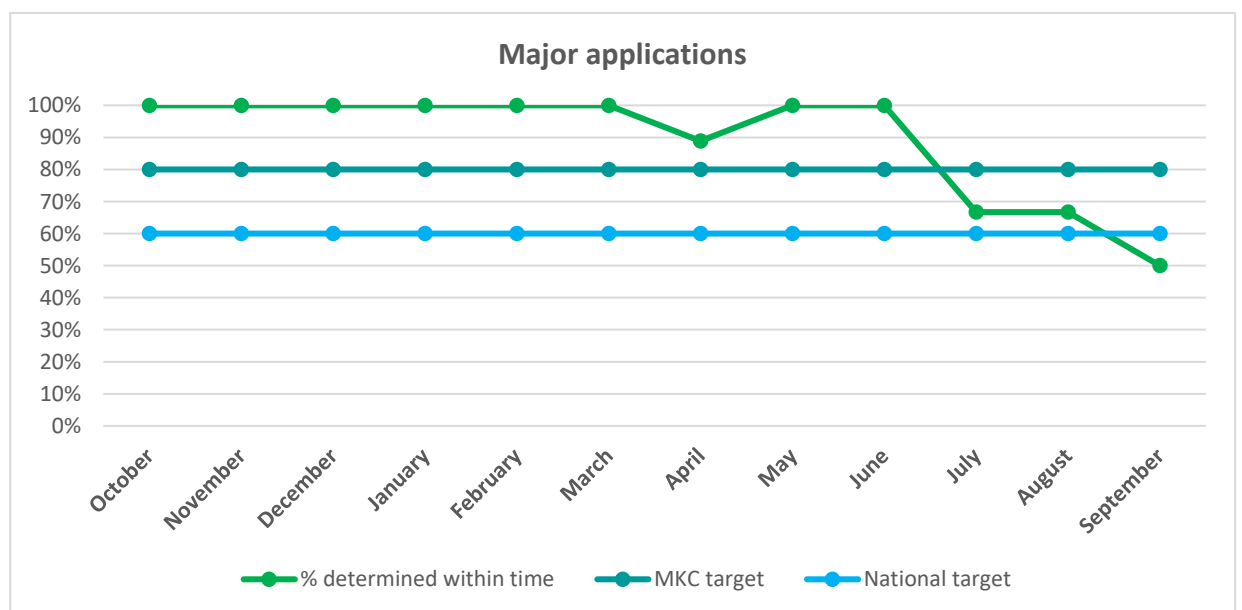
3.5 The effect of a relatively high and frequent rate of staff turnover has reduced the efficiency of the team, with senior officers having to dedicate time to recruitment and induction of new members of the team, whilst also having to pick up additional caseload to bridge gaps in the structure. Recent efforts on the recruitment campaign have generally been positive, yielding officers at all mid and lower levels with just one single development services officer yet to start their employment with MKC. Furthermore, the movement of staff has allowed for natural succession within the team, meeting the aims of the November 2020 restructure. This has been aided by supporting non-planning graduates within the team to attain their relevant qualifications, as we seek to 'grow our own' senior and principal planners in the future. Additionally, the restructure created new project management support for the Planning Service, which has helped to free up some time for planning officers. Notwithstanding this, recruitment of principal officers remains a significant challenge due to a lack of experienced resource in the wider market, and with agency options often 'stolen' by more attractive offers

from elsewhere. The recent campaign has secured two new officers, scheduled to join MKC in the new year, which will assist in improving matters.

3.6 As a consequence of reduced capacity at the principal officer level, where some 70% or more of delegated decisions are reviewed and issued each week, the overall capacity to review and issue decisions on a daily basis has fallen dramatically. The Committee will be conscious of the need to ensure decisions are made on a sound recommendation and that all necessary checks have been performed before a notice is issued.

<i>Number of sign-off officers</i>		<b>Apr</b>	<b>May</b>	<b>Jun</b>	<b>Jul</b>	<b>Aug</b>	<b>Sep</b>
Interim Service Development Manager (c.20% of sign-off capacity)	<i>Actual</i>	1	1	1	1	0.5	0.5
	<i>Expected</i>	1	1	1	1	1	1
	<b>Capacity</b>	<b>20%</b>	<b>20%</b>	<b>20%</b>	<b>20%</b>	<b>10%</b>	<b>10%</b>
Team Leader (c.10% of sign-off capacity)	<i>Actual</i>	2	2	2	2	2	2
	<i>Expected</i>	2	2	2	2	2	2
	<b>Capacity</b>	<b>10%</b>	<b>10%</b>	<b>10%</b>	<b>10%</b>	<b>10%</b>	<b>10%</b>
Principal Planning Officer* (c.70% of sign-off capacity)	<i>Actual</i>	1.9	1.9	1.9	1.9	1.9	1.9
	<i>Expected</i>	4.4	4.4	4.4	4.4	4.4	4.4
	<b>Capacity</b>	<b>30%</b>	<b>30%</b>	<b>30%</b>	<b>30%</b>	<b>30%</b>	<b>30%</b>
*Interim agency principal officers were not afforded delegated powers							
<b>Total sign-off officer capacity</b>		<b>60%</b>	<b>60%</b>	<b>60%</b>	<b>60%</b>	<b>50%</b>	<b>50%</b>

3.7 The effect of the reduced sign-off capacity, coupled with reduced officer resource overall, has had a considerable impact on performance. The Team Leader and Interim Service Development Manager resource is, in reality, less than shown above due to the need to backfill for the Enforcement Team Leader, who left post in June, and take up work normally allocated to principal officer level. A recent event has also compounded this, and is explained in section 6 below. The breakdown of performance across the last 6 to 12 months (so to provide comparison) on major, minor and other applications is set out below.



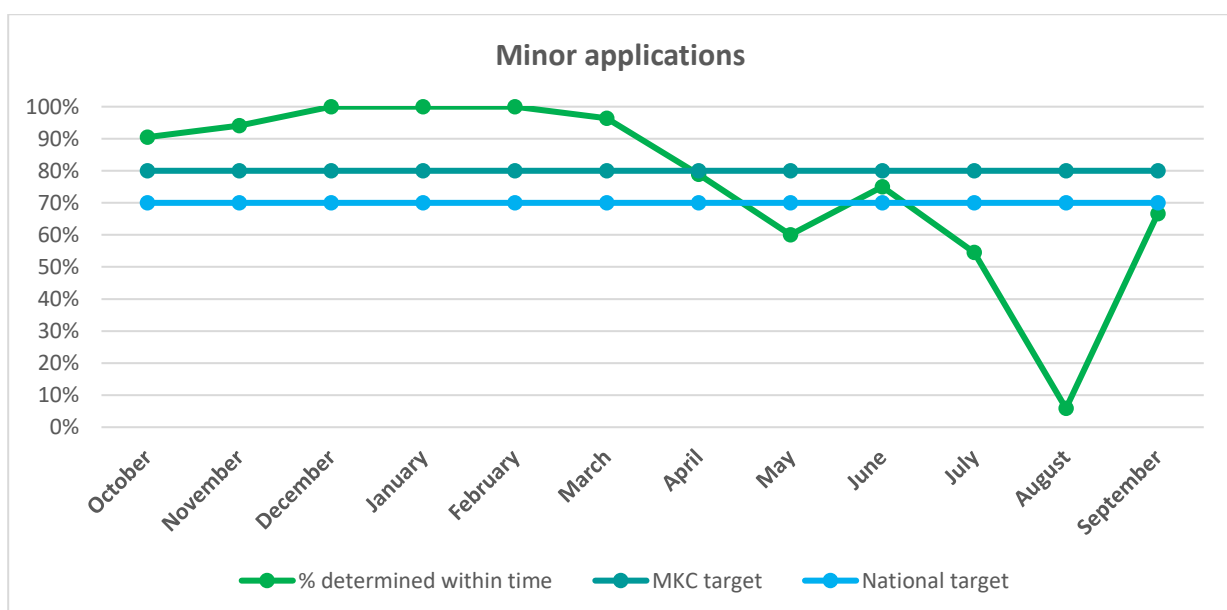
Majors (over 6 months)	2021					
	Apr	May	Jun	Jul	Aug	Sep
% determined within statutory or agreed targets	88.9%	100%	100%	66.7%	66.7%	50.0%
MKC target	80%	80%	80%	80%	80%	80%
National target	60%	60%	60%	60%	60%	60%

3.8 27 major applications have been determined across the last 6 months and, in the majority, these decisions were made in time. However, since July just 10 majors have been determined due to reduced capacity, and 4 of these were determined out of time, with each of these decisions representing between 25% and 33% in performance terms. This trend is considered to be stable presently, and efforts are being made to agree additional time to decide major applications.

3.9 Across the period of 6 months, this results in **78.7%** of major decisions being issued within time, comfortably exceeding national targets, although slightly below MKC targets. Compared with neighbouring authorities, this is slightly below their average of 81.8%.

North Northants	West Northants	Bedford	Central Beds	Luton	Bucks	Average
95%	96%	70%	92%	50%	88%	<b>81.8%</b>

3.10 Across the designation period, defined at paragraph 2.4 above, **92.7%** of major decisions have been issued in time – well exceeding the 60% threshold.

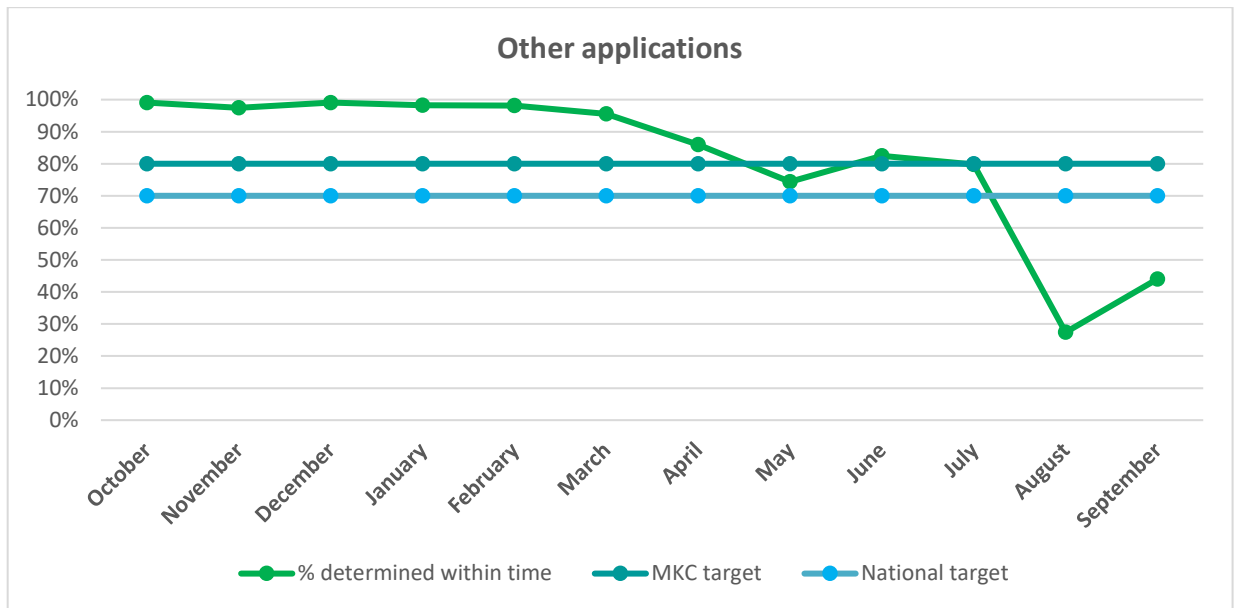


Minors (over 6 months)	2021					
	Apr	May	Jun	Jul	Aug	Sep
% determined within statutory or agreed targets	79.0%	60.0%	75.0%	54.5%	5.9%	66.7%
MKC target	80%	80%	80%	80%	80%	80%
National target	70%	70%	70%	70%	70%	70%

- 3.11 91 minor applications have been determined across the last 6 months. Across this period, the delivery of timely decisions has been affected by a reduction in planning and, in part, senior planning officer capacity. These officers handle the majority of planning applications submitted to the Council (circa 85%) so that where high levels of turnover occur, the effect of reassigning casework and/or inducting new officers reduces output.
- 3.12 The limited capacity to facilitate the review of recommendations and issuing of decisions has had also a sharp effect in this area, with these decisions requiring more scrutiny given they relate to more complex and numerous considerations than perhaps householder applications. The other effect is that the higher proportion of minors as a cross-section of all applications means that recommendations are frequently being put forward for sign-off, and lack of sign-off capacity is leading to a backlog. Efforts are being made to address the build-up on a regular basis. The sharp dip in August is discussed further in section 6 below, although performance across remaining months is as anticipated when reporting performance to DCC in September.
- 3.13 Across the period of 6 months, this results in **56.8%** of minor decisions being issued within time, falling below national and MKC targets. This increases to 67% when removing the August outlier. As noted above, recruitment has assisted to some degree recently. Compared with neighbouring authorities, this is below their average of 79%.

North Northants	West Northants	Bedford	Central Beds	Luton	Bucks	Average
88%	77%	68%	87%	76%	78%	<b>79%</b>

- 3.14 Across the designation period, **86.9%** of minor decisions have been issued in time – well exceeding the 70% threshold.



Others	2021					
	Apr	May	Jun	Jul	Aug	Sep
% determined within statutory or agreed targets	86%	74.4%	82.5%	79.7%	27.4%	44.0%
MKC target	80%	80%	80%	80%	80%	80%
National target	70%	70%	70%	70%	70%	70%

3.15 670 other applications have been determined across the last 6 months and, in the majority, these decisions were made in time. A similar fall in performance to minor applications is apparent in the latter 3 months, where similar capacity issues at the planning officer level and limited principal officer capacity affected the ability to handle the high numbers of applications working their way through the process. Similar observations to those made at paragraphs 3.11 and 3.12 apply, with most applications falling into the 'Other' bracket, and a backlog arising. Again, whilst representing a gradual downward trend in the short term, steps have been taken to add resource at all levels, and efforts continue to add sign-off capacity.

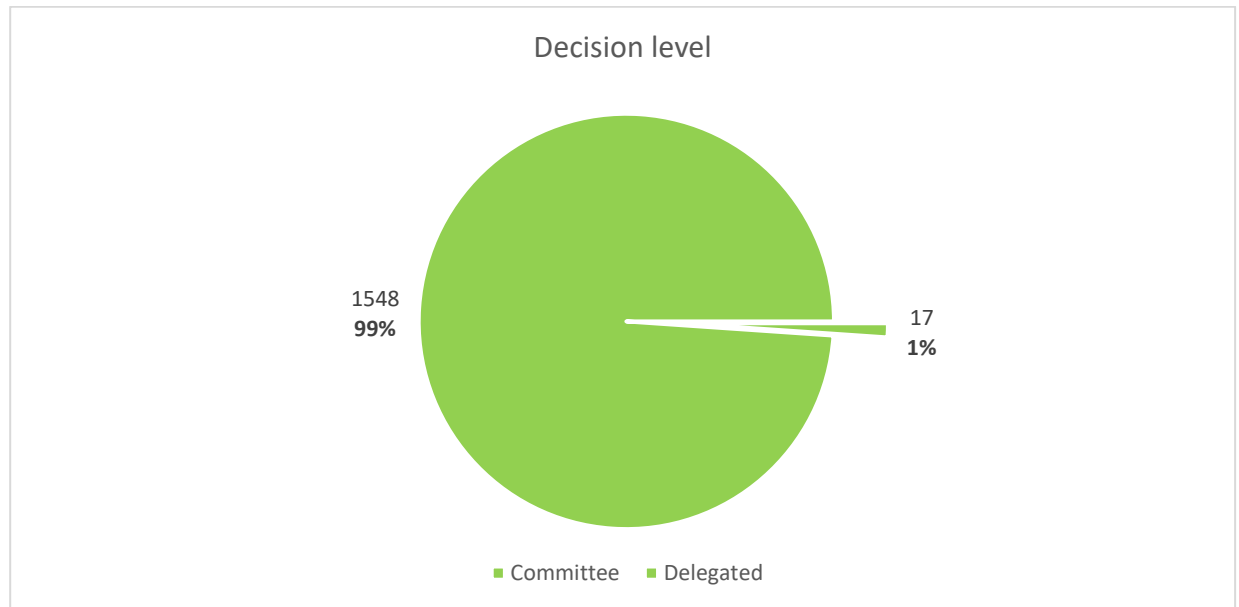
3.16 Across the period of 6 months, this results in **65.7%** of other decisions being issued within time, falling below national and MKC targets. This increases to 73.3% when removing the August outlier. Compared with neighbouring authorities, this is below their average of 86.3%.

North Northants	West Northants	Bedford	Central Beds	Luton	Bucks	Average
93%	86%	77%	94%	84%	84%	<b>86.3%</b>

3.17 Across the designation period, **89.9%** of other decisions have been issued in time – well exceeding the 70% threshold.

### Level of decision making

- 3.18 Over the reporting period, 1,565 decisions were made. Of these, the vast majority were made under delegated powers (1,548) with 17 determined by Committee or Panel. This represents approximately 1.1% of all decisions, in line with the figure for all of 2020/21 (1.4%, or 41 of 2,831 decisions).

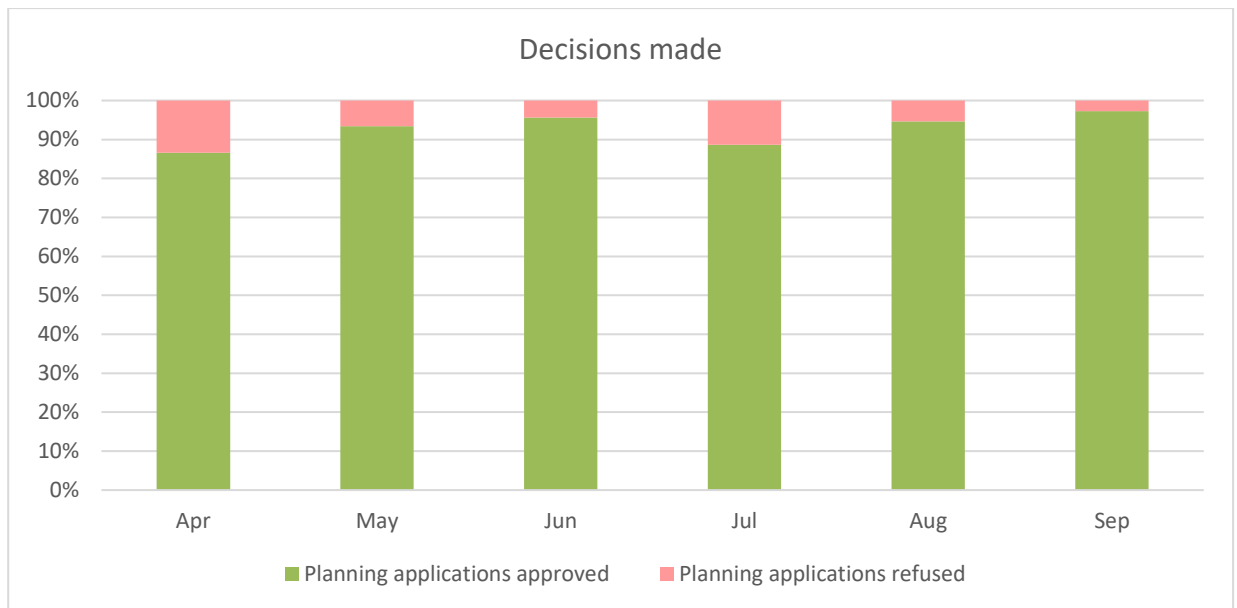


### Quality of decision making

- 3.19 This is an increasing focus for the service, with it recognised that both applicants and communities' benefit from adding value to decisions (e.g. seeking amendments to improve the overall design quality or biodiversity value of the site). Furthermore, where small amendments can facilitate an approval instead of a refusal and revised submission, these are being actively pursued. The benefit of seeking pre-application advice, supported by PPAs where relevant, is also reflected in this approach. As outlined above, additional resource is being developed through UDLA to support the continued delivery of a high quality and effective offer in relation to PPAs.
- 3.20 With this in mind, a small proportion of decisions were refused over the last 6 months – just 6%. This compares to 91% of applications approved over the 6-month period reported in September, and 89% over the same period considered a year earlier. Overall, this reduces the level of challenge through appeal as well as resources expended in handling a second, revised application.



	2021					
	Apr	May	Jun	Jul	Aug	Sep
Planning applications approved	110	127	131	78	267	247
Planning applications refused	17	9	6	10	15	7
<b>Total</b>	<b>127</b>	<b>136</b>	<b>137</b>	<b>88</b>	<b>282</b>	<b>254</b>



### Interim summary

- 3.21 Whilst the performance across the last 6 months might appear discouraging in some respects, this is not considered to be a long-term pattern. Measures are being deployed to arrest this trend and restore the high levels of performance previously experienced. Additional time is being agreed where possible, so to bring decision making back within targets, whilst recruitment is assisting with reducing a backlog of cases. In addition, time in diaries is being protected to allow principal and other officers to review and sign-off decisions. It is anticipated that figures will slowly rise into early 2022.

## **4.0 Appeals**

### Current casework

- 4.1 64 refusals were issued in the last 6 months. Whilst not directly arising from decisions made in the same period, given most refusals allow up to 6 months in which to lodge an appeal, 33 planning appeals have been received in this time. This continues to indicate that refusals are generally being issued on sound reasons, with a good proportion of refusals resulting in revised submissions or no further attempts to secure permission.

4.2 There are 43 appeals presently under consideration by the Inspectorate. 3 of these relate to enforcement notices, whilst two relate to appeals against non-determination – reflecting some of the delays in being able to make decisions on applications. Most are proceeding by way of an exchange of written representations, with the outcome from two inquiries and one hearing awaited. Casework associated with appeals therefore remains high, with it almost certain that last year’s total of 50 appeals will be exceeded.

Appeals decided

4.3 In the first 6 months of 2021/22, a total of 27 appeals were decided:

	Dismissed	Split	Allowed	Withdrawn	Total
Delegated	11	0	10	0	21
DCC (following officer recommendation)	0	1	0	0	1
DCP (following officer recommendation)	1	0	0	0	1
DCC (contrary to officer recommendation)	1	0	1	0	2
DCP (contrary to officer recommendation)	0	0	2	0	2
Appeal against non-determination	0	0	0	0	0
<b>Total</b>	<b>13</b>	<b>1</b>	<b>13</b>	<b>0</b>	<b>27</b>
	<b>48%</b>	<b>4%</b>	<b>48%</b>	<b>0%</b>	<b>100%</b>

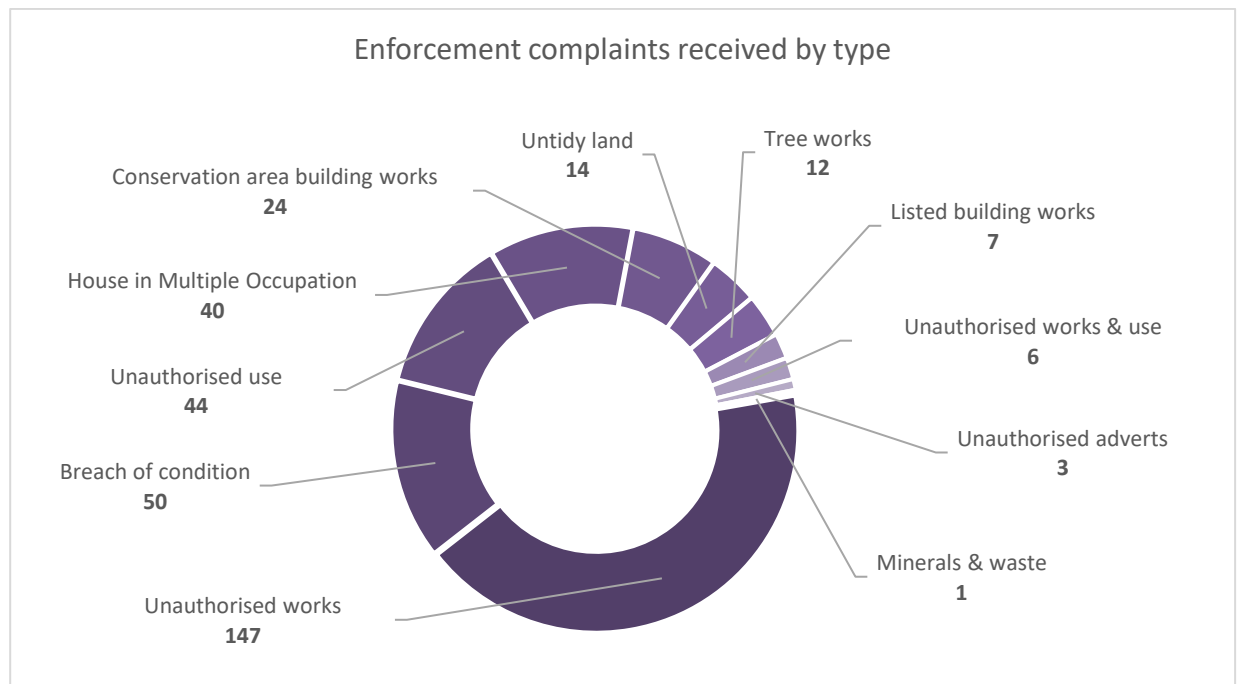
4.4 Of the appeals decided, one received a split decision (partly allowed, partly dismissed). For the purposes of performance, split decisions are treated as ‘dismissed’. This would adjust the percentage of appeals dismissed to 52%, against 48% allowed. Whilst this is still above the English average of circa. 25-30% of appeals being allowed, it is an improvement on the figures reported in September (43% and 57% respectively) where it was observed it is difficult to project annual performance on a small sample. Indeed, it is notable that 4 of the 10 appeals allowed relating to a delegated decision were handled ‘as one’, concerning whether a condition should be attached to the 4 permissions granted. The percentage of appeals allowed on delegated decisions or DCC/DCP decisions following officer recommendation falls to 43%, whilst 75% of appeals related to a DCC/DCP decision which was contrary to the officer recommendation were allowed.

4.5 8 allowed appeals relate to enforcement notices, Lawful Development Certificates, Prior Approvals or against the imposition of conditions. These are excluded when it comes to designation measures, as they do not relate to planning applications. Of those remaining, 26% have been overturned at appeal so far this year. As a proportion of all decision making and accounting for the fact that relatively few decisions on planning applications proceeded to appeal in 2020/21, the Council sits well below the 10% threshold for designation.

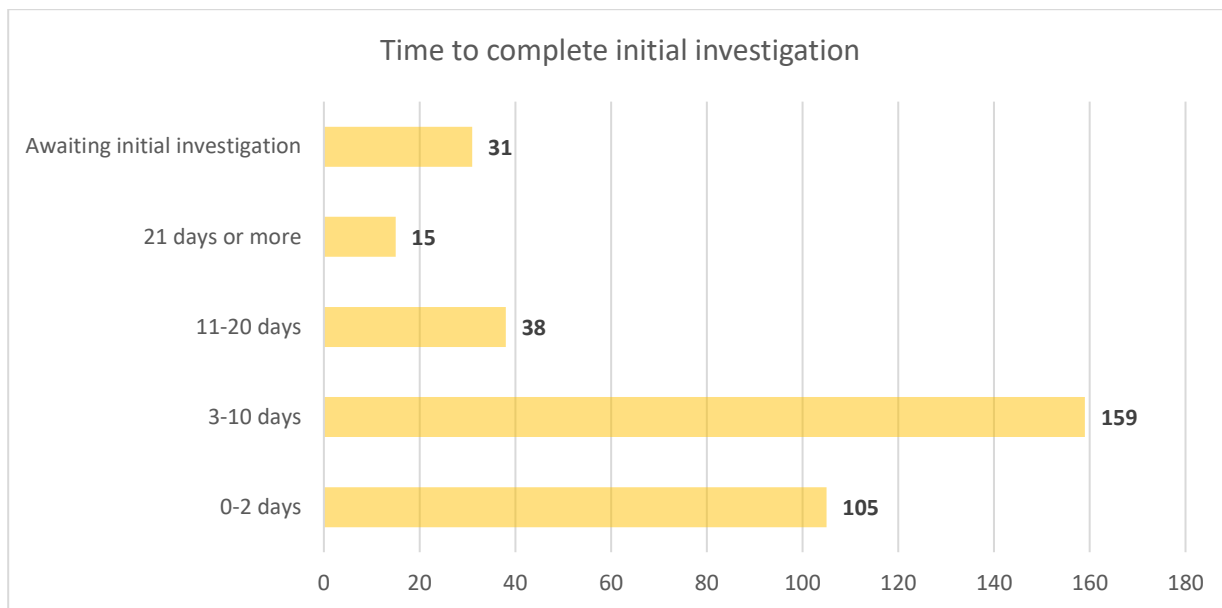
## 5.0 Enforcement

### Complaints received

5.1 Since 1<sup>st</sup> April 2021, the Enforcement Team have received 348 reports of breaches of planning control. The vast majority relate to unauthorised building works, with a high proportion also related to authorised works by way of reported breaches of pre-commencement conditions. Reports of Houses in Multiple Occupation also account for a high number of complaints.

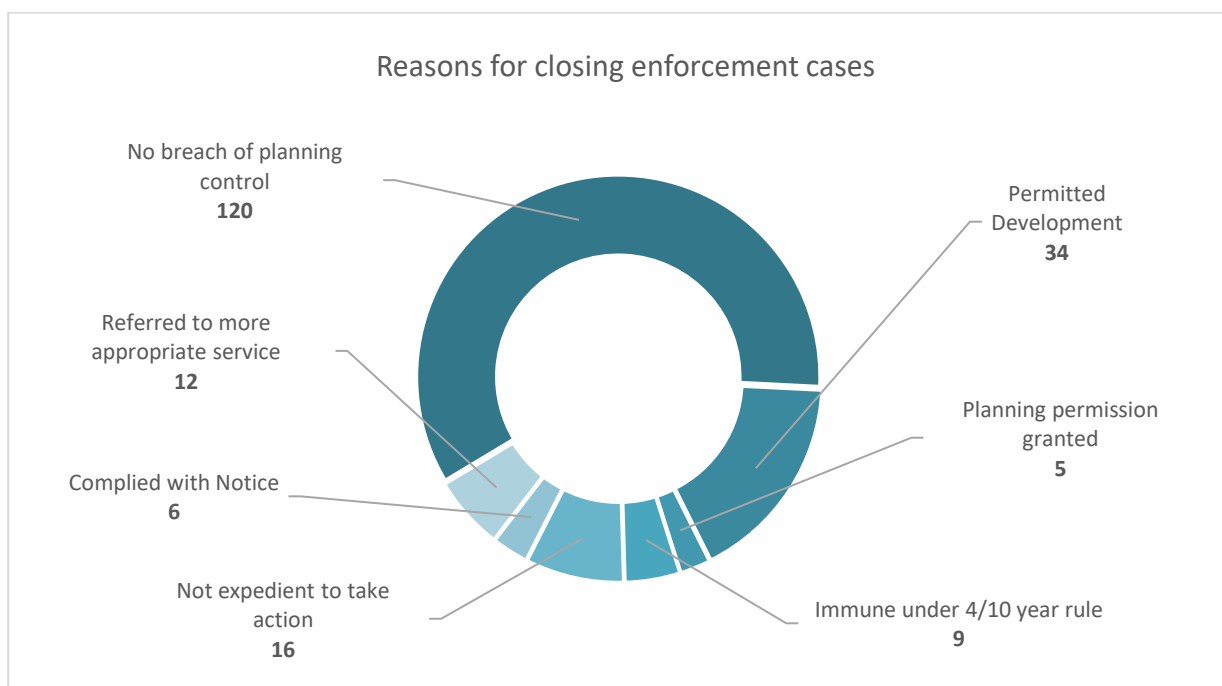


5.2 When received, complaints are investigated in line with the Enforcement Plan targets of 2, 10 and 20 working days. Whilst the chart below does not analyse performance against these targets for the reporting period (as the software could not be correctly configured until May), it shows a general pattern that officers are establishing the presence or otherwise of a breach of planning control quickly. Complainants should expect to receive an update at this point too.

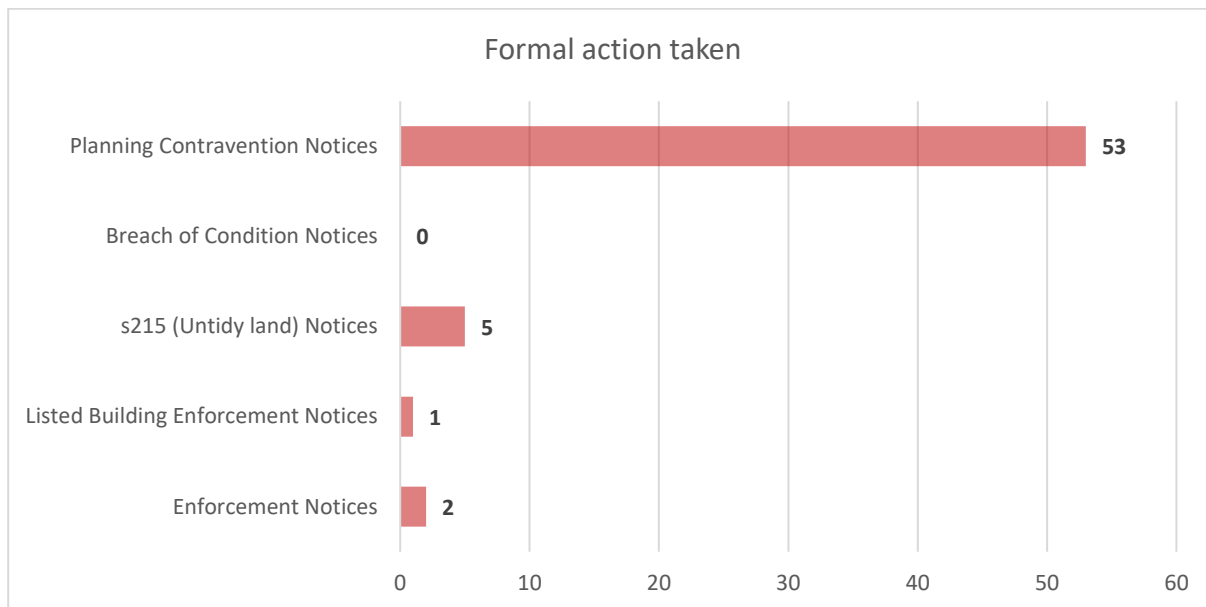


5.3 Following this initial investigation, it can take differing lengths of time to resolve complaints. This depends on the circumstances and complexity of each case, and whether a breach exists, a retrospective application is invited, formal action is required, or an appeal is lodged. For this reason, monitoring of these timeframes does not provide a meaningful measure of performance.

5.4 When it comes to resolving complaints, there are varying outcomes. Over the last 6 months, three-quarters of complaints (82%) have been closed due to the matter not constituting a breach of planning control or qualifying as permitted development (i.e. it does not require an express grant of permission from MKC). This potentially indicates there is a need for further guidance that clearly explains what constitutes a breach of planning control, which could be supported by training for key stakeholders.



5.5 Of the remaining closures, there is a spread of cases where it was found not expedient to enforce (e.g. the breach might be marginally above permitted development allowances), or where planning permission has been granted. Some complaints relate to breaches of control which are immune from enforcement action due to the passage of time, whilst compliance with a formal notice has been secured in 6 cases. It should be noted that immunity often accrues without the matter ever having been brought to the attention of the Council.



5.6 The above data shows closures. Of the complaints received in the last 6 months, 144 remain under investigation. A good number of Planning Contravention Notices (PCNs) have been served during this time, so to require information of the owner/developer in order to inform the next steps in the case. A total of 8 formal notices have been served in this time – 5 relating to untidy land, and 3 enforcement notices.

5.7 The above performance is encouraging with time taken to establish breaches and planned actions decreasing. This is despite the Enforcement Team Leader having left post at the end of May, with the new post-holder joining the authority at the end of November. The Senior Enforcement Officer post has contributed to this improvement. The above data does, however, confirm that a considerable degree of work is being created where it could be avoided – the complaints regarding non-planning matters or where permission exists. As part of the improvements to the service, enhanced guidance on the website and in correspondence is planned, as well as a refresh of the Enforcement Plan to make clear the fundamental principles of planning enforcement – that it is a discretionary function which must be exercised proportionately and in the public interest.

## 6.0 Planning improvement work

6.1 An update on the work of the Planning Improvement Board (PIB), which was formed in January 2020, was reported to DCC on 2<sup>nd</sup> September 2021. Given the short period of time since that report, it is not intended to provide a further update at this time, save for two matters.

## Decision notices

- 6.2 As the Committee will be aware, a monthly check of decisions notices is reported to PIB, with a random sample selected each month to ensure accuracy. This demonstrates that, where followed, the procedure put in place following the error associated to the decision notice for 1 Yeomans Drive, as set out in the Internal Audit Draft Report on Planning Application and Approval Process (issued 14<sup>th</sup> January 2019), has been ensuring accuracy. However, there are further checks additional to this Process which are detailed in a sign-off procedure note (SOPN) for officers.
- 6.3 It became apparent in mid-August that a number of decisions issued by the then Interim Service Development Manager (ISDM) had errors – either with the indexing of documents or on the decision notices themselves. This resulted from the ISDM missing steps outlined in the agreed SOPN. The ISDM had received training related to the sign-off process and been provided with a copy of the SOPN.
- 6.4 The ISDM was immediately suspended from sign-off duties (that day) by the Development Management Manager (DMM) and instructed to review all decisions made so far that month. The Head of Planning (HoP) was informed, who in turn notified the Director and the Deputy Chief Executive. This initial investigation by the DMM established the ISDM had not been following the SOPN and his employment was immediately terminated. An interim sign-off procedure was initiated within 3 days, requiring officers to request a peer review of the draft decision notice. Unfortunately, this compounded the capacity issue at this level, as noted earlier in this report.
- 6.5 The DMM worked with the Planning Systems Manager (PSM) to test protocols in the software. A set of rules which prevent the sign-off officer from deviating from the prescribed steps have been instigated with the assistance of the software provider, with a revised SOPN (**Annex A**) ratified by PIB and implemented. The Director has observed how deliberate attempts to circumvent this procedure are now met by warning messages in the software.
- 6.6 An exercise of verifying all 542 decisions made by the ISDM has been completed. Analysis indicated the majority of errors related to mis-filing documents and are easily remedied. Of the errors with decision notices themselves (28), the vast majority relate to the list of relevant plans being omitted. In the case of certain decision types or refusals, this is of no consequence and it was agreed by the PIB in October that no further action was required in these cases. All of these related to officer delegated decisions and none involved a major development.
- 6.7 However, three decisions have been identified as deficient, and therefore requiring further action. Two relate to approval of non-material amendments, such that the impact arising is likely to be non-material – given either the original or the amendment can be implemented. The relevant applicants have been invited to re-apply to allow for a complete decision notice, containing the approved plans, to be issued.
- 6.8 In the remaining case, a condition to control the long-term use of a residential annexe was omitted. There is a reasonable likelihood, however, that applicant's reasons for applying in this case will see it used as intended. Nonetheless, without the condition in place, there is little control over its use in the future. Advice has been taken from legal officers and an approach

has been made for the applicant to sign a planning obligation (s106 agreement) to control the use of the annexe. If the applicant does not agree to this approach, further consideration of alternatives will need to be considered. The PIB is being appraised of progress with this matter.

- 6.9 Whilst disappointing, it is evident that the errors arose from the ISDM not following the correct procedure as outlined in the SOPN. The rate at which decisions were issued over a short period of time, without undertaking the stipulated checks, led to the faulty decision notices. Up to this point, the procedure had been effective with the ISDM notably signing off decisions since March 2021, and PIB spot checks returning no other errors. The new SOPN, coupled with embedded preventative measures in the software, will ensure that decisions are checked thoroughly and with due diligence, and warn the officer where they have not carried out the necessary steps.

#### Draft Enforcement Procedure

- 6.10 As part of the improvements to the enforcement function within Development Management, a review of procedures is underway. This seeks to support effective delivery of this service in line with the Enforcement Plan, which was adopted in January 2021, through ensuring:
- Effective communication with interested parties, in addition to improving the general advice available in the Enforcement Plan and on the Council's website, to keep them apprised of progress. As each investigation will be unique, the timescales for resolving enforcement complaints is variable, so committing to communication at key junctures is crucial and represents effective customer service.
  - Reliable and regular gathering of evidence, and retention of correspondence, occurs. Whilst current software is limiting to some degree, increasing the level of manual indexing of documentation, this remains crucial to ensuring formal action is robust and can be defended if challenged (e.g. by aggrieved parties, or by appeal or in the Courts).
  - Effective monitoring of caseloads and communication with the correct departments within MKC and external organisations. It is often necessary, in considering the expediency of enforcement action, to liaise with consultees and planning officers to ascertain their professional view on policy compliance.
- 6.11 The enclosed draft enforcement procedure [**Annex B**] sets out the process to which enforcement officers are expected to follow. Whilst this is in draft and subject to further refinement, it is, in part, being operated 'in testing' ahead of the new Enforcement Team Leader taking up her post. The new Enforcement Team Leader brings with her considerable experience of revising procedures to ensure their effective delivery of the enforcement function, and it is intended to draw her experience into a future revision of this draft procedure.
- 6.12 Equally, Members are invited to offer their comments on the procedure so that changes and improvements may be accommodated where appropriate and possible to do so.