



CHESHIRE EAST COUNCIL

DELIVERING COMPLIANCE - A GUIDE TO PLANNING ENFORCEMENT A BRIEFING FOR MEMBERS

Monday 27 July 2009 2.00pm – 5.00pm

Organised and presented for the Council by

**Trevor Roberts Associates
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TREVOR ROBERTS ASSOCIATES / CHESHIRE EAST COUNCIL

DELIVERING COMPLIANCE - A GUIDE TO PLANNING ENFORCEMENT

Introduction

This "in-house" bespoke training session has been specifically arranged for the authority by Trevor Roberts Associates for the benefit of members who are involved or interested in this critical element of the Development Management process. At the end of the day, the community will not judge the authority on its processes but on the outcomes i.e. what gets built is what was approved, that developments comply with the conditions imposed on them etc.

Specific aspects covered during the session will include:

- the place of monitoring, compliance and enforcement within the Development Management process
- why do you have to apply for planning permission?
- what is and is not development?
- what is a breach of planning control (briefly considering how this differs from other control regimes e.g. listed building control)
- handling complaints
- scenario for action, particularly the concepts of “expediency” and harm”
- how can you engender a “Compliance Culture”?

Some of these questions will be posed for group discussion and feedback. General questions and discussion on all these matters will be encouraged throughout the session.

Pre-course questionnaires

This pre-course pack includes two simple questionnaires/profiles:

- a personal profile, and
- a specific questions profile.

Please complete this material and bring it along to be collected at the outset of the session.

Presenter

Vivien Green BSc MRTPI, Chartered Town Planner and Senior Associate with TRA. Vivien worked for various planning authorities (Salford City, Burnley BC, Hyndburn BC, Cumberland County) for many years before establishing as a freelance Planning Consultant. She has a wide spectrum of clients, and engages in a variety of planning work, including extensive experience in Inquiries as well as undertaking training assignments with Trevor Roberts Associates. A specialist on development planning, development control and enforcement, she is one of TRA's most experienced presenters, has been involved in many Councillor training assignments, and is the key Course Tutor on TRA's certificated course in planning enforcement.

Methods

Methods include inputs by the Course Presenter, supported by visual aids and simple course documentation. Within a broad presentational structure, the intention is to make the session participatory and informal.

Evaluation

We are pleased to receive feedback on our training events, whether positive or critical, as this assists with our Quality Control processes. During the session you will be given an evaluation slip. Please complete this slip and hand it to Vivien Green at the end of the training, or send it on to us afterwards.

Venue

The venue has been arranged directly by the authority. Details will be provided.

Further information about Trevor Roberts Associates

Established in 1984, Trevor Roberts Associates (TRA) is celebrating its 25th Anniversary in 2009.

TRA provides a range of management and professional training and procedural consultancy services to local government and the local government professions. These include a series of inter-authority and in-house events throughout the UK for people involved in the planning/development field. TRA is the leading provider of continuing professional development of this type in the country.

For the past 15 years, TRA has run training sessions for Councillors involved in planning, and has built up an expert team of presenters, the most experienced such group in the UK.

Anyone interested in learning more about our training and related services should visit our website at **www.tra-ltd.co.uk**.

Workshops for Key Councillors on Planning/Development Control Committees

TRA offers a series of workshops run on an inter-authority basis for key Councillors involved in planning (such as Chairs, Vice Chairs, Portfolio Holders). These are run over one and a half days in either York or Cambridge.

The topics currently being offered include:

- *Good Practice for Planning/Development Control Committees*
- *Securing Community and Infrastructure Funding through Planning Agreements and related mechanisms*
- *Effective Planning Enforcement and Compliance*
- *The Interface between Cabinet/Executive, the Planning Committee and the Planning System.*

Please see our website - <http://www.tra-ltd.co.uk/training/programmes/22> - for further details.

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BRIEFING FOR MEMBERS

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Monday 27 July 2009: 2pm – 5pm

Programme

2.00pm

Introduction

The key components of Development Management

Some crucial questions to be considered initially in breakout groups

- why do you have to apply for planning permission?
- what is development?
- what does not constitute development?
- what is a breach of planning control?

Other control regimes operated alongside Development Management (e.g. listed building control)

Why does the Council get complaints about breaches of planning control?

- the Council's Policy for dealing with these complaints
- permitted Development
- the role of negotiation

Context for deciding whether to take Enforcement Action

- the discretionary nature of enforcement work
- time limits for action
- the legal "tests" for deciding whether or not it is "expedient" to take action
- what are material considerations?
- government advice
- scenarios for action

3.15pm

Tea

A question to be considered in breakout groups and then discussed: If enforcement is too little too late, how do you engender a "Compliance Culture"?

Monitoring and compliance: the hard realities of Development Management

- who are the "customers"?
- how will they measure the success of Development management?
- what messages do you want to send to the community?
- what changes are necessary to deliver "Development management"?
- how do you start making these changes?

5.00pm

End of briefing

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PERSONAL PROFILE

The purpose of this is to provide the Course Presenter with a brief pen picture of participants.

NAME.....

HOW LONG ON THE COUNCIL(OR PREVIOUS COUNCIL).....

**COMMITTEES/SUB COMMITTEES OF THE AUTHORITY ON WHICH YOU SERVE
(INDICATE ANY PARTICULAR ROLE E.G. CHAIR, VICE CHAIR, OPPOSITION
SPOKESPERSON ETC.)**

**ARE YOU INVOLVED IN ANY "PLANNING RELATED" ORGANISATIONS, COMMITTEES,
PRESSURE GROUPS ETC. OUTSIDE/OVER AND ABOVE YOUR COUNCIL INVOLVEMENT -
IF SO GIVE DETAILS**

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QUESTIONS PROFILE

This is an opportunity to jot down any questions you want to ask about planning enforcement. The Course Presenter will do her best to answer these questions within the limited time available. It will be easier to do this if the questions are submitted in advance.

Don't worry about being detailed or accurate - as long as it is possible to get an idea of what you want to know, this is good enough.

Name: