

MAIDSTONE BOROUGH COUNCIL

CABINET MEMBER FOR REGENERATION

REPORT OF THE DEVELOPMENT CONTROL MANAGER

Report prepared by Ryan O'Connell

Date Issued: 2 July 2009

1. RESPONSE TO THE OVERVIEW AND SCRUTINY REPORT: THE ENFORCEMENT OF PLANNING CONDITIONS AND COMPLIANCE WITH SECTION 106 AGREEMENTS

1.1 Issue for Decision

- 1.1.1 To consider the Scrutiny Recommendation Action and Implementation Plan (SCRAIP) that has been completed in response to the Overview and Scrutiny report on the Enforcement of Planning Conditions and Compliance with Section 106 Agreements.

1.2 Recommendation of the Development Control Manager

- 1.2.1 That the SCRAIP be approved as the response to the Regeneration and Sustainable Communities Overview and Scrutiny Committee.

1.3 Reasons for Recommendation

- 1.3.1 It is a constitutional requirement that a response is given to Overview and Scrutiny reports. The reasons for the responses are given in the SCRAIP where appropriate.
- 1.3.2 It is important to note that following the restructure many changes are already underway or have been implemented in Enforcement since February 2009. Therefore a number of the responses are listed as ongoing or have already been auctioned.
- 1.3.3 The response also needs to be considered in the context of the Internal Audit Report on Planning Enforcement that considered and will raise a number of issues that overlap with the recommendations made in the Scrutiny report. As a result both reports will need to be considered before a full response on those issues can be given. The response to the Audit report will therefore be made available to the Scrutiny Committee.

1.4 Alternative Action and why not Recommended

- 1.4.1 An alternative set of responses could be agreed but this is not recommended as the SCRAIP has been completed with the responses given taking into account the feasibility of the proposed actions, the workloads of officers and the existing timetable for changes in Enforcement.

1.5 Impact on Corporate Objectives

- 1.5.1 None

1.6 Risk Management

- 1.6.1 The response has been put together in order to minimize the risk of committing to actions that are not feasible or would have unsustainable financial/staffing impacts on the section.

1.7 Other Implications

1.7.1

1. Financial
2. Staffing
3. Legal
4. Equality Impact Needs Assessment
5. Environmental/Sustainable Development
6. Community Safety
7. Human Rights Act
8. Procurement
9. Asset Management

1.8 Background Documents

- 1.8.1 None

NO REPORT WILL BE ACCEPTED WITHOUT THIS BOX BEING COMPLETED

Is this a Key Decision? Yes ☐ No ☒

If yes, when did it appear in the Forward Plan? _____

Is this an Urgent Key Decision? Yes ☐ No ☐

How to Comment

Should you have any comments on the issue that is being considered please contact either the relevant Officer or the Member of the Executive who will be taking the decision.

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