



SELECT COMMITTEE

Wednesday, 15 January 2020 at Belle Vue Square, Broughton Road,
Skipton

(Meeting to commence immediately following the conclusion of
Select (Crime and Disorder) Committee)

Committee Members: The Chairman (Councillor Staveley) and Councillors Brown, Harbron, Hull, Jaquin, Mercer, Metcalfe, Moorby, Pighills, Shuttleworth, Solloway and Sutcliffe.

AGENDA

1. **Apologies for Absence** – To receive any apologies for absence.
2. **Minutes** – To confirm the minutes of the meeting held on 20 November 2019.
3. **Public Participation** – In the event that questions are received, the Chairman will conduct the public participation session for a period of up to fifteen minutes. Where questions are asked, one related supplementary question may be permitted at the Chairman's discretion.
4. **Declarations of Interest** – All Members are invited to declare at this point any interests they have on items appearing on this agenda, including the nature of those interests and whether they wish to apply the exception below.

Note: Declarations should be in the form of either:

- a “**disclosable pecuniary interest**” under Appendix A to the Code of Conduct, in which case the Member must leave the meeting room; or
- an “**other interest**” under Appendix B of the Code. For these interests, the Member may stay in the meeting room, although they must leave if membership of the organisation results in a conflict of interest.

Exception: Where a member of the public has a right to speak at a meeting, a Member who has a disclosable pecuniary interest or an other interest and must leave the room, has the same rights and may make representations, answer questions or give evidence, but at the conclusion of that, must then leave the room and not take part in the discussion or vote.

5. **Review of Planning Enforcement and Building Control** – The Democratic Services Manager to present the Select Committee's Review of Planning Enforcement and Building Control.

6. **Work Programme** – The Select Committee to consider its work programme for the 2019/20 municipal year.
7. **Date and Time of Next Meeting** – Wednesday, 19 February 2020 at 6.30pm.
8. **Any other items** which the Chairman decides are urgent in accordance with Section 100B(4) of the Local Government Act, 1972.

Agenda Contact Officer:

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Recording at Council Meetings: Recording is allowed at Council, committee and sub-committee meetings which are open to the public, subject to

- (a) the recording being conducted with the full knowledge of the Chairman of the meeting; and
- (b) compliance with the Council's protocol on audio/visual recording and photography at meetings, a copy of which is available on request. Anyone wishing to record must contact the Agenda Contact Officer (details above) prior to the start of the meeting. Any recording must be conducted openly and not disrupt proceedings.

Emergency Evacuation Procedure

In case of an emergency, or if the alarm sounds, leave the meeting room and exit the building using the main doors onto the Square. If those doors are not available, please use the nearest available door.

The assembly point is in Belle Vue Square at the front of the building, nearest the main road. An officer will take a roll call once everyone is out of the building.

Please do not leave a meeting without telling the Chairman or a representative of Legal and Democratic Services.

SELECT COMMITTEE

20 November 2019

Present – The Chair (Councillor Staveley) and Councillors Hull, Jaquin, Mercer, Metcalfe, Moorby, Pighills, Shuttleworth.

Officers – The Chief Information Officer, Democratic Services Manager and Democratic Services and Scrutiny Officer.

Also in attendance – Councillor Brockbank, Lead Member for Internal Services.

Apologies for absence were received from Councillors Brown, Harbron, Solloway and Sutcliffe.

Start: 6.30pm

Finish: 7.25pm

Confirmation of Minutes –

The minutes of the meeting held 16 October 2019 were approved as a correct record and signed by the Chairman.

Public Participation –

There were no members of the public in attendance.

Declarations of Interest –

There were no declarations of interest.

Minutes for Report

OS.437

MEMBERS' IT OPTIONS REVIEW

The Chief Information Officer (CIO) submitted a report which outlined the proposed IT solution for Members' consideration.

Members were informed of the two options offered in the proposed solution. Members could continue using their Council controlled Apple OS tablet, or alternatively, opt for the Use Your Own Device Scheme (UYOD), a license only option which supported Apple OS, Android and Windows 10 devices. Both options offered the same Office 365 connectivity and access to relevant papers. Members noted that the two proposed options were an either/or solution.

It was clarified should Members be minded to license their own device(s) under the UYOD scheme, the device(s) would continue to be the owner's responsibility. IT Support would be solely responsible for the Council's software.

One Member endorsed the proposal and suggested the two schemes provided sufficient flexibility for all Councillors' needs. Members expressed some concern regarding possible printing restrictions and accessibility and ease of use in relation to Apple devices for some Members. One Member suggested that the 'two factor' authentication security for the UYOD scheme, although more secure, could be cumbersome in practice.

Members supported the need for further training to ensure the Council controlled devices were used to their full capacity. It was also suggested that in order to make an informed decision, it would be useful to view and consider more detailed costings.

Resolved – That a more detailed report, including cost analysis, is presented to the February Select Committee.

OS.438 **BEREAVEMENT SERVICES RECOMMENDATION TRACKING**

The CIO presented a report which updated Members on progress made by Bereavement Services against the recommendation tracking document.

The CIO informed Members of ongoing work including the production of the Bereavement Services Strategy with a view to diversify the service and a business case project regarding sustainable woodland burials. Members noted the 15-20 year capacity remaining at the Waltonwrays site. The CIO confirmed the sheltering facility for Waltonwrays Cemetery requested by the late Pat Fairbank was included in the strategic plan.

Resolved – That a further report is presented to Select Committee with a view to update Members on progress against the business strategy.

OS.439 **WORK PROGRAMME**

The Democratic Services Manager submitted a report which presented the most recent version of the Select Committee's work programme.

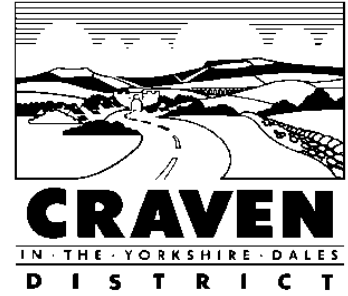
Members were reminded that the Select (Crime and Disorder) Committee meeting on 11 December 2019, had been cancelled and rearranged to take place on 15 January 2020. Items in relation to Absence Management and Customer Services Call Handling Performance were to be considered at the Select Committee meeting on 19 February 2020.

Resolved – That the work programme, as amended, is noted.

Minutes for Decision

There were no items for decision.

Chairman.

Select Committee – 15 January 2019**Review of Planning Enforcement and Building Control****Report of the Democratic Services Manager**

Ward(s) affected: All

1. Purpose of Report

To present Select Committee's Review of Planning Enforcement and Building Control.

2. Recommendations

The Select Committee is recommended to consider and agree its Review of Planning Enforcement and Building Control.

3. Report

3.1 At the meeting of 17 July 2019, the Select Committee received an update on the latest position in relation to Planning Enforcement and Building Control. Having considered the update, the Select Committee agreed to appoint a working group to undertake an in-depth review. The aim of the review was to make an assessment of performance and, where appropriate, make recommendations on a number of key areas.

3.2 The review was conducted over two sessions, which took place between September and November 2019 when Select Committee received a range of evidence both written and verbal. The review includes a number of recommendations, which outlines the Select Committee's expectations regarding a number of improvement measures.

3.3 Attached at Appendix A is a copy of the Review of Planning Enforcement and Building Control to be agreed by Select Committee. Once agreed then a final version will be presented to Policy Committee on 4 February 2020 for final approval.

3.4 Progress against the recommendations will be monitored by Select Committee during the course of the municipal year. In those cases where progress has been unsatisfactory then a formal response will be sought.

4. Legal Implications

There are no legal implications arising from this report.

5. Contribution to Council Priorities

The work of Select Committee contributes to Council priorities by aiming to improve services and add value.

6. Risk Management

There are no risk management issues associated with this report.

7. Equality Analysis

There are no direct implications arising from this report.

8. Consultations with Others

Solicitor to the Council and Monitoring Officer

9. Access to Information: Background Documents

There are no background documents.

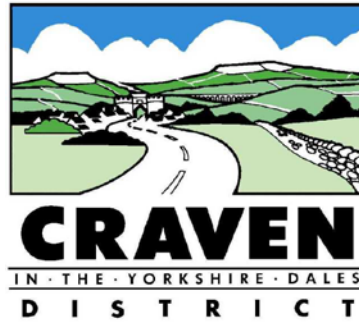
10. Appendices – Appendix 1 – Review of Planning Enforcement and Building Control

11. Author of the Report

Guy Close, Democratic Services Manager

Telephone: (01756) 706226 E-mail: gclose@cravenc.gov.uk

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.



Review of Planning Enforcement and Building Control

Report of the Planning Enforcement and Building Control Working Group

Report to Policy Committee on 4 February 2020

Introduction and Background

1. Following Select Committee's review of Development Control Performance, which was approved by Policy Committee in February 2019, Select Committee agreed to undertake some further work focussing on Planning Enforcement and Building Control.
2. Having considered an update at the July Select Committee meeting, it was agreed to appoint a working group to undertake an in-depth review. The aim of the review was to make an assessment of performance and, where appropriate, make recommendations on a number of key areas.
3. The review was conducted over two working group sessions, which took place in September and November 2019 when we received a range of evidence both written and verbal. Evidence was provided by the Planning Manager (Development Management) and the Planning Enforcement Team Leader. The information provided was interesting and valuable and we would like to thank officers who contributed their time and expertise to support this review.
4. This report includes a number of recommendations, which outline our expectations regarding a number of improvement measures. We hope that our findings provide a clear summary of areas that require focus and action. Ongoing monitoring of the progress of the recommendations will be undertaken by the Select Committee during the course of the municipal year.



Councillor Brian Shuttleworth,
Chair of Planning Enforcement and Building Control Working Group

The Review

5. As an introduction to our review we were presented with an overview of the issues facing the service, together with a structure of the team and how it operates.

Key issues identified by the working group were identified as follows:

Working Group – Session one

- We acknowledged the challenges associated with limited staff resources resulting in a re-active service.
- Limited staff resources often resulted in the service moving from one investigation to another. The reasons for operating this approach were not always fully understood by the public.
- Greater resources were needed to develop monitoring and enforcement of issues.

Working Group – Session two

- There was concern about how members of the public perceived planning enforcement due to limited staff resources.
- The benefits of developing a pro-active approach. An increase of two full-time planning enforcement officers (scale 5) was proposed, which would significantly enhance the level of service provided.
- We considered the potential for combining aspects of planning and enforcement roles, i.e. retrospective applications dealt with by planning enforcement.
- We highlighted the need to improve communications, especially with members of the public, parish councils and local community groups.
- As part of the review we also received an overview of the building control service and its links with planning enforcement.

Recommended approach and costs

6. The following approach, including costs, was recommended:

Employing two full-time planning enforcement officers. The total cost (including national insurance and superannuation) of employing two full-time planning enforcement officers on scale 5, based at the top of the scale, would be £60,668.

The benefits of adopting the recommended approach

7. The benefits of increasing the staff establishment were identified as follows:
- Delivering a high profile, pro-active enforcement service with the resource to deal with unauthorised adverts, untidy properties, monitor EMP9 sites (workspace with ancillary residential), dwellings with agricultural / local ties and sites that have undergone change of use.
 - Reducing the time to investigate and resolve all possible breaches of planning control.

- Releasing the Planning Enforcement Team Leader from a purely operational role to facilitate pro-active enforcement, including monitoring of section 106 agreements and the payment of commuted sums for the delivery of affordable housing, public open space, highway improvements and education facilities.
- Enabling the planning enforcement team to deal with retrospective applications resulting in efficiency savings, releasing development management case officers from enforcement-generated cases, and therefore making a positive contribution to development management performance.
- Improved liaison with stakeholders, including elected members, parish councils, local community groups and residents.
- Improved image of the Council with active engagement on enforcement matters.

Conclusion and Recommendations

8. In concluding our review of Planning Enforcement and Building Control, it was recognised that the service was currently operating a re-active service. It was clear that greater resources were needed to develop the service and manage planning enforcement pro-actively. The recommendations below identify a way forward to deliver a more proactive and effective service.

Recommendation 1

9. To develop training provision in the planning enforcement team which enables officers to combine aspects of planning and enforcement roles.

Recommendation 2

10. That two full-time planning enforcement officers (scale 5) are recruited to support development from a re-active to pro-active service.

Recommendation 3

11. To develop a communications strategy to publicise enforcement work that the service was involved with.

Monitoring arrangements

12. Standard arrangements for monitoring the outcome of the Select Committee's recommendations will apply.
13. The decision-makers to whom the recommendations are addressed will be asked to submit a response to the recommendations.
14. Following this the Select Committee will determine any further monitoring that is required. This will be in addition to the standard bi-annual monitoring of all Select Committee recommendations.

Reports and Publications Submitted / Considered

15. The following information was submitted / considered by the Planning Enforcement and Building Control Working Group:

11 September 2019

- Report of the Planning Manager (Development Manager) which provided an overview of the following key areas:
 - How the Council investigates alleged breaches;
 - Summary of notices;
 - Immunity from enforcement action;
 - Criminal offences;
 - Matters that cannot be dealt with by planning enforcement; and
 - Other duties undertaken by the planning enforcement team.
- Development Management, Enforcement and Building Control structure chart.

20 November 2019

- Planning Enforcement current and proposed structure
- Details of building control applications vs approved inspector initial notices 2018/19.

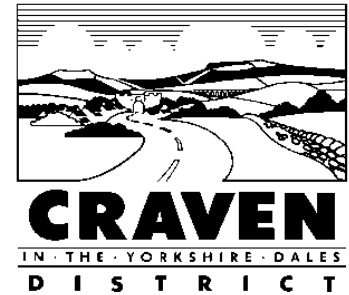
Dates of Meetings and Witnesses Heard

16. The following meetings of Select Committee and the Planning Enforcement and Building Control Working Group took place:

- 17 July 2019 – Select Committee
- 11 September 2019 – Planning Enforcement and Building Control Working Group
- 20 November 2019 – Planning Enforcement and Development Control Working Group
- 15 January 2020 – Select Committee.

17. The following officers attended meetings of the Select Committee and Planning Enforcement and Building Control Working Group;

- Neville Watson, Planning Manager, Development Management; and
- Leon Hazeldine, Planning Enforcement Team Leader.

Select Committee – 15 January 2020**Work Programme****Report of the Democratic Services Manager**

Ward(s) affected: All

1. Purpose of Report

- 1.1 To consider the Select Committee's work programme for the remainder of the 2019/20 municipal year.

2. Recommendations

- 2.1 Members are asked to consider the matters outlined in this report and agree (or amend) the work programme (as presented at Appendix 1) for the remainder of 2019/20.

3. Report

- 3.1 At its initial meeting in June 2019, the Select Committee discussed a range of matters for possible inclusion within its work programme for 2019/20. The areas discussed included a range of matters which were then used to help formulate an outline work programme.
- 3.2 The latest version of the work programme is attached as Appendix 1 for consideration and agreement by Select Committee, subject to any identified and agreed amendments.
- 3.3 It's important to recognise that the work programme should not be considered a fixed and rigid schedule, it should be something that can be adapted to reflect any new and emerging issues throughout the year; and also reflect any timetable issues that might occur from time to time.
- 3.4 However, when considering any developments and / or modifications to the work programme, effort should be made to:
- Avoid unnecessary duplication by taking into account any existing groups or forums already monitoring a particular issue.
 - Ensure that any review work to be undertaken has clarity and focus of purpose and will add value and can be delivered within an agreed time frame.
 - Seek advice about available resources and relevant timings, taking into account Select Committee's workload and the type of activity taking place.
 - Build in sufficient flexibility to enable the consideration of urgent matters that may arise during the year.
- 3.5 In addition, in order to deliver the work programme, the Select Committee may need to take a flexible approach and undertake activities outside the formal schedule of meetings, such as working groups. This flexible approach may also require additional formal meetings of the Select Committee.

4. Legal Implications

There are no legal implications arising from this report.

5. Contribution to Council Priorities

The work of Select Committee contributes to Council priorities by aiming to improve services and add value.

6. Risk Management

There are no risk management issues associated with this report.

7. Equality Analysis

There are no direct implications arising from this report.

8. Consultations with Others

Solicitor to the Council and Monitoring Officer

9. Access to Information: Background Documents

There are no background documents.

10. Appendices

- Appendix 1 – Current work programme for 2019/20

11. Author of the Report

Guy Close, Democratic Services Manager

Telephone: (01756) 706226 E-mail: gclose@cravendc.gov.uk

Note: Members are invited to contact the author in advance of the meeting with any detailed queries or questions.

SELECT COMMITTEE

WORK PROGRAMME 2019/20



Date	Committee	Agenda
5 June	Select Committee	<ul style="list-style-type: none"> • Update on Statutory Guidance on Overview and Scrutiny in Local and Combined Authorities (Guy Close, Democratic Services Manager) • Work Programme and Appointment of Working Groups (Guy Close, Democratic Services Manager).
26 June	Select (Crime and Disorder) Committee	<p>Select (Crime and Disorder) Committee:</p> <ul style="list-style-type: none"> • North Yorkshire Police, Fire and Crime Panel: Annual Update (County Councillor Les) • Local Policing – Local crime overview and priorities (Inspector Lorraine Crossman-Smith) • Community Safety Update (Stacey Reffin, Community Safety Officer) • Consultation on the Draft Priorities for the North Yorkshire Fire and Rescue Plan 2019/21 (Guy Close, Democratic Services Manager) • Feedback on Yorkshire Ambulance Service – (Guy Close, Democratic Services Manager)
17 July	Select Committee	<ul style="list-style-type: none"> • Absence Management 2018-19 (Jacquie Hodgson, Human Resources Manager) • Review of Development Control Performance – Final Report (Guy Close, Democratic Services Manager) • Report on Planning Enforcement and Building Control (David Smurthwaite, Strategic Manager for Planning and Regeneration) and (Neville Watson, Planning Manager, Development Control)

<p>11 Sept</p>	<p>Select Committee</p>	<ul style="list-style-type: none"> • Disabled Facilities Grants: Annual Performance Review (Nina Pinder, Housing Adaptations Manager) - To include a review of progress made against the recommendation tracking template. • Working Group Session: Planning Enforcement and Building Control
<p>16 Oct</p>	<p>Select Committee</p>	<ul style="list-style-type: none"> • Report on Green Theme (Councillor Lis, Lead Member for Greener Craven), (Paul Ellis, Director Services) and (Wyn Ashton, Environment and Housing Manager) • Working Group Session: Commercial Waste Service: Evaluation report on implementation and operation of the new business model (Councillor Lis, Lead Member for Greener Craven) and (Wyn Ashton, Environment Services and Housing Manager) • Working Group Session: Report on Waste Management / Lane-end collections (Councillor Lis, Lead Member for Greener Craven), (Wyn Ashton, Environment and Housing Manager) and (Chris Fairhurst, Waste Operations Manager)
<p>20 Nov</p>	<p>Select Committee</p>	<ul style="list-style-type: none"> • Members' IT Options Review (Darren Maycock, CIO and Assets and Commercial Services) and James McCulloch (ICT Services Manager) • Recommendation Tracking – Bereavement Services update (Darren Maycock, CIO and Assets and Commercial Services) and (Clair Cooper, Development Manager, Bereavement Services) • Working Group Session: Planning Enforcement and Building Control
<p>11 Dec</p>	<p>Select (Crime and Disorder) Committee</p>	<p>This meeting has been cancelled due to the General Election on 12 December 2019. The meeting has been rearranged to take place on 15 January 2020.</p>

15 Jan	Select (Crime and Disorder) Committee	Select (Crime and Disorder) Committee: <ul style="list-style-type: none"> • Road Safety Overview (Fiona Ancell, Road Safety Team Leader, North Yorkshire County Council) • Local Policing – Local crime overview and priorities (Inspector Lorraine Crossman-Smith) • Community Safety Update (Stacey Reffin, Community Safety Officer) • Review of the effectiveness of any public spaces protection orders (Stacey Reffin, Community Safety Officer)
15 Jan	Select Committee	<ul style="list-style-type: none"> • Final Review Report – Planning Enforcement and Building Control (Guy Close, Democratic Services Manager)
19 Feb	Select Committee	<ul style="list-style-type: none"> • Absence Management: Half Year Position 2019-20 (Jacquie Hodgson, Human Resources Manager) • Customer Services Call Handling Performance (Sharon Hudson, Communications, Customer Services and Partnerships Manager) • Members' IT Options Review update (Darren Maycock, Chief Information Officer)
18 Mar	Select Committee	<ul style="list-style-type: none"> • Final Review Reports from Working Groups (Guy Close, Democratic Services Manager)
15 Apr	Select Committee	<ul style="list-style-type: none"> • Draft Work Programme for 2020/21 (Guy Close, Democratic Services Manager) • Recommendation Tracking (Guy Close, Democratic Services Manager)