

To: Cllr Tobey Eckersley
Chair, Scrutiny Sub-Committee C

from Eileen Conn
Peckham, London

March 2010

Planning Enforcement Review

Dear Toby

At the meeting on 3rd March you invited me to put in a short paper for the 17th March meeting as the last meeting on the Enforcement Review. Here are some comments. I will be happy to explain further as necessary or to answer any questions at the meeting on 17th March.

1. Importance of effective enforcement.

Local people put a lot of effort into helping to develop the borough planning policies through many consultation exercises. Without effective planning enforcement much of that is wasted effort. Noticing that there are planning breaches without effective enforcement increases alienation and cynicism about the authorities and the democratic process, on the part of local residents. From a resident's perspective, planning enforcement is an essential part of the whole planning process. So anything that can strengthen it is vital for good planning. Ensuring that the Enforcement Team is adequately resourced is essential. I hope the Scrutiny report can cover this point.

2. Residents as eyes & ears for planning enforcement

At the heart of good enforcement is information about planning breaches. People who are familiar with an area, and there frequently, are very well placed to notice changes. So there needs to be a clear and simple system for enabling them to report changes which are likely to be planning breaches. For this to work there has to be

- simple and accessible information on what is a planning breach and how to report it;
- an effective system for rapid responses when this is required to prevent breaches becoming established;
- clear and timely feedback to the person reporting.

3. Cross-departmental working

Controls and enforcement for planning, licensing, trading and environmental health often interlink in practice. So effective cross-departmental working can be critical to effective enforcement and timely outcomes on the ground. This can sometimes seem to be a long way off. For example, there are instances where traders believe that having an entertainment license overrides a planning permission. How can they go through full council procedures without understanding the relationship? Is there something inadequate about the process? Another example of lack of effective joint working is in Peckham town centre.

4. Peckham Town Centre

The feeling locally sometimes is that anything goes in terms of activities in the town centre, as if planning control did not exist. New uses seem to open frequently, changing the nature of the town centre very significantly without planning permissions. Shop fronts change without permission. Trading standards sometimes seem very questionable. All this time, the slow planning policy process of the Peckham & Nunhead Area Action Plan grinds on as if none of this is happening, its 'vision' adrift from reality. Now in the midst of all this, the Council has removed what appears to have been the last vestige of any hope of proactive internal council coordination on Peckham Town centre matters by the removal of the town centre manager post. Integrated enforcement is a key aspect of effective town centre management which is essential for revitalising the town centre. This revitalisation is at the heart of most of the Council's policies relating to Peckham and its residential hinterland with so many challenging social and economic issues. But now there seems to be a

noticeable vacuum where the possibilities for joined-up working have been reduced, appearing minimal. Can the Scrutiny report reinforce the importance of a focal point in the Council at both senior level and operational level to ensure integrated working really happens? This can only help the job of Planning Enforcement, and the outcome we all want of a revitalized Peckham town centre.

5. Reports to Community Councils

The innovation of regular reports to the Nunhead & Peckham Rye Community Council on all planning enforcement cases has been very welcome. It has helped to give a focus for progressing them, as well as kept residents and councillors informed and in the loop and able to help ensure relevant information continues to be communicated to the enforcement team. This reporting needs to be continued as a standard practice, and brought to the attention of other Community Councils.

6. Guidance & education for the public

The production last year of the new Guidance on planning and religious premises was a good effort to communicate better with the public and provide relevant and important information on enforcement matters including planning. This could be developed further, for other parts of the community as well. Residents need to know how all the enforcement systems work, including planning. The Council could do well to offer workshops in the different parts of the borough for local residents on how the various local authority enforcement systems work, including planning enforcement. This would help local people to know better how to work in partnership with the Council to the mutual benefit of both. Some pilot workshops could be held and if successful established on a regular basis. The Council could explore providing these in collaboration with the active residents' network and also the relevant parts of the voluntary sector, such as the Active Citizens Hub, the Willowbrook Centre, and local community hubs. These kinds of workshops may also be relevant for small businesses and traders, and similar collaboration with business and trade associations could be explored.

7. Partnership with active residents

Residents who are active on planning matters across the borough, in both the continuous planning policy process and the enforcement process, have a lot of experience about how the system actually works in detail. As a result they have a lot to offer on improvements that might be made but there is no easy way to make these suggestions. I suggest the Committee considers recommending two actions:

- that the scrutiny report on planning enforcement is publicised in voluntary sector, community sector and local business sector channels, and at Community Councils, and residents and others invited to write in with any ideas they have for improvement in the processes. This would compensate a bit for the lack of publicity for this scrutiny, and give the Development & Control Department access to what could be constructive suggestions from the public.
- that the Development & Control Department consider arranging an event to meet with residents who are active in planning control matters and seek their views in a facilitated discussion. This could be a natural follow on to the Scrutiny report and its publicity to residents and through the Community Councils, and the receipt of comments from residents and others. If successful, the event could be followed up at intervals maybe annually, and help to develop good communication between increasing numbers of active residents who would become more informed and able to support the work of the enforcement department to mutual benefit.

Such approaches clearly fit well with the Council's duty to involve residents and increase effective community engagement. It would, unlike some approaches under those labels, be potentially one that the community would really appreciate, when they can see it lead to definite improvements and a willingness to work in partnership, and a direct contribution to community empowerment. I would be very willing to discuss with officers the development of these ideas, and how they fit with other work in the borough by the active residents' network.

Eileen Conn