

PERTH AND KINROSS COUNCIL

SCRUTINY COMMITTEE

12 September 2018

**SIXTH SCRUTINY REVIEW: PLANNING ENFORCEMENT –
ANNUAL PLANNING ENFORCEMENT REPORT**

Report by Executive Director (Housing & Environment) (Report No. 18/290)

This report provides an update on the implementation of recommendation 3 from the Scrutiny Review of Planning Enforcement, which marks the completion of this recommendation.

1. BACKGROUND / MAIN ISSUES

- 1.1 Planning Enforcement was selected as the topic for the sixth Scrutiny Review based on the potential for the review to result in recommendations for change that would deliver measureable improvements. The final report concluding the review was approved by the Scrutiny Committee on 21 September 2016 ([report number 16/397](#)).
- 1.2 Six recommendations were made in this review. A progress report ([report number 17/289](#)) on the implementation of the recommendations was last submitted to the Scrutiny Committee on 13 September 2017. This Report identified that five of these recommendations have been met, with recommendation 3 – the preparation of an Annual Planning Enforcement Report – the sole outstanding recommendation. Completion of that recommendation was targeted for 31 October 2017 (as set out in [Appendix 1 of report number 17/289](#)).
- 1.3 A decision was made to defer the consideration of this report however; to capture performance for a full statistics reporting period (1 April 2017 to 31 March 2018) rather than mid-way to enable a better analysis to be undertaken. Annual Planning Authority performance statistics for the year 2017/18 were reported by the Scottish Government on 24 July 2018.
- 1.4 This report updates Committee that the first Annual Planning Enforcement Report for 2017/18 will be reported to the Environment and Infrastructure Committee on 7 November 2018. This will conclude the implementation of recommendation 3 of the sixth Scrutiny Review.

2. RECOMMENDATION

- 2.1 The Scrutiny Committee is asked to

- i) agree that this report satisfies recommendation 3 of the Sixth Scrutiny Review: Planning Enforcement and therefore concludes that review; and
- ii) note that the first Annual Planning Enforcement Report covering 2017/18 will be presented to the Environment and Infrastructure Committee at the meeting on 7 November 2018. Thereafter, for subsequent years, the Report will be presented at the first available meeting of that committee following the publication of annual performance statistics by the Scottish Government (which typically occurs in late July and would therefore likely be reported to Environment and Infrastructure in September in subsequent years).

Author

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Approved

Name	Designation	Date
Barabara Renton	Executive Director (Housing and Environment)	24 August 2018

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1. IMPLICATIONS, ASSESSMENTS, CONSULTATION AND COMMUNICATION

The undernoted table should be completed for all reports. Where the answer is 'yes', the relevant section(s) should also be completed. Where the answer is 'no', the relevant section(s) should be marked 'not available (n/a)'.

Strategic Implications	Yes / None
Community Plan / Single Outcome Agreement	Yes
Corporate Plan	Yes
Resource Implications	
Financial	None
Workforce	None
Asset Management (land, property, IST)	None
Assessments	
Equality Impact Assessment	None
Strategic Environmental Assessment	None
Sustainability (community, economic, environmental)	None
Legal and Governance	None
Risk	None
Consultation	
Internal	None
External	None
Communication	
Communications Plan	None

1. Strategic Implications

Community Plan / Single Outcome Agreement / Corporate Plan

- 1.1 This report supports the delivery of the strategic objectives within the Community Plan / Single Outcome Agreement 2013-23 and Corporate Plan 2013-18.

2. Resource Implications

Financial

- 2.1 Not applicable.

Workforce

- 2.2 Not applicable.

Asset Management (land, property, IT)

- 2.3 Not applicable.

3. Assessments

Equality Impact Assessment

- 3.1 Under the Equality Act 2010, the Council is required to eliminate discrimination, advance equality of opportunity, and foster good relations between equality groups. Carrying out Equality Impact Assessments for plans and policies allows the Council to demonstrate that it is meeting these duties.
- 3.2 This report has been considered under the Corporate Equalities Impact Assessment process (EqIA) with the following outcome:
- Assessed as **not relevant** for the purposes of EqIA

Strategic Environmental Assessment

- 3.3 The Environmental Assessment (Scotland) Act 2005 places a duty on the Council to identify and assess the environmental consequences of its proposals. No further action is required as it does not qualify as a PPS as defined by the Act and is therefore exempt.

Sustainability

- 3.4 Under the provisions of the Local Government in Scotland Act 2003 the Council has to discharge its duties in a way which contributes to the achievement of sustainable development. In terms of the Climate Change (Scotland) Act 2009 the Council also has a general duty to demonstrate its commitment to sustainability and the community, environmental and economic impacts of its actions.
- 3.5 The information contained within this report has been considered under the Act. However, no action is required as the Act does not apply to the matters presented in this report.

Legal and Governance

- 3.6 Not applicable.

Risk

- 3.7 Not applicable.

4. Consultation

Internal

- 4.1 No internal consultation was required.

External

4.2 No external consultation was required.

5. Communication

5.1 Not applicable.

6. BACKGROUND PAPERS

- Guide to Scrutiny at Perth and Kinross Council 2014 (report 14/261).
- Sixth Scrutiny Review: Planning Enforcement (report 15/550).

7. APPENDICES

7.1 None.