

Public Document Pack



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3 September 2018

Dear Councillor

NOTICE IS HEREBY GIVEN THAT a meeting of the **SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE** will be held in the HMS Brave Room at these Offices on Tuesday 11 September 2018 at 6.00 pm when the following business will be transacted.

Members of the public who require further information are asked to contact Rebecca Brough on (01304) 872304 or by e-mail at democraticservices@dover.gov.uk.

Yours sincerely

A handwritten signature in black ink, appearing to read "Nicky", written over a white background.

Chief Executive

Scrutiny (Policy and Performance) Committee Membership:

K Mills (Chairman)
M I Cosin (Vice-Chairman)
T A Bond
P I Carter
R J Frost
J M Heron
S C Manion
M J Ovenden
M Rose
D A Sargent

AGENDA

1 **APOLOGIES**

To receive any apologies for absence.

2 **APPOINTMENT OF SUBSTITUTE MEMBERS**

To note appointments of Substitute Members.

3 **DECLARATIONS OF INTEREST** (Page 5)

To receive any declarations of interest from Members in respect of business to be transacted on the agenda.

4 **MINUTES**

To confirm the Minutes of the meeting of the Committee held on 24 April 2018, 15 May 2018, 5 June 2018 and 3 July 2018 (to follow).

5 **PUBLIC SPEAKING**

Please note that in accordance with the agreed Protocol for Public Speaking at Overview and Scrutiny, the right to speak only applies to agenda items 11, 12 and 13.

The right of the public to speak does not apply to the following agenda items: Apologies, Appointment of Substitute Members, Declarations of Interest, Minutes, the Forward Plan, the Scrutiny Work Programme, any agenda item that is not accompanied by a written report and items that are exempt business.

Members of the public wishing to speak must register to do so by no later than 2.00 pm on the second working day before the meeting.

6 **DECISIONS OF THE CABINET RELATING TO RECOMMENDATIONS FROM THE SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE**

There were no decisions taken by the Cabinet at its meeting held on 10 September 2018 in respect of recommendations from the Scrutiny (Policy and Performance) Committee.

7 **ISSUES REFERRED TO THE COMMITTEE BY COUNCIL, CABINET, SCRUTINY (COMMUNITY AND REGENERATION) COMMITTEE OR ANOTHER COMMITTEE**

There are no items for consideration.

8 **ITEMS CALLED-IN FOR SCRUTINY OR PLACED ON THE AGENDA BY A MEMBER OF THE COMMITTEE, ANY INDIVIDUAL NON-EXECUTIVE MEMBERS OR PUBLIC PETITION**

(a) Items placed on the agenda by a Member of the Committee or any individual Non-Executive Member

Any individual Councillor may request that a matter is placed on the agenda of one of the Council's Overview and Scrutiny Committees by providing Democratic Support with notice of the matter prior to the agenda being published.

There are no items for consideration.

(b) Items the subject of Call-In

Executive Decisions may be called-in by the Chairman or Spokesperson of the Scrutiny (Policy and Performance) Committee or any three non-executive members.

There are no items for consideration.

(c) Public Petition

There are no items for consideration.

9 **NOTICE OF FORTHCOMING KEY DECISIONS** (Pages 6 - 9)

It is intended that Members should use the Notice of Forthcoming Key Decisions to identify topics within the remit of the Committee for future scrutiny.

10 **SCRUTINY WORK PROGRAMME** (Pages 10 - 13)

It is intended that the Committee monitor and prioritise its rolling work programme.

11 **PERFORMANCE REPORT – QUARTER 1, 2018/19** (Pages 14 - 34)

To consider the attached report of the Chief Executive.

12 **PLANNING ENFORCEMENT PLAN** (Pages 35 - 59)

To consider the attached report of the Head of Regulatory Services.

13 **STATEMENT OF COMMUNITY INVOLVEMENT** (Pages 60 - 81)

To consider the attached report of the Chief Executive.

Access to Meetings and Information

- Members of the public are welcome to attend meetings of the Council, its Committees and Sub-Committees. You may remain present throughout them except during the consideration of exempt or confidential information.
- All meetings are held at the Council Offices, Whitfield unless otherwise indicated on the front page of the agenda. There is disabled access via the Council Chamber entrance and a disabled toilet is available in the foyer. In addition, there is a PA system and hearing loop within the Council Chamber.
- Agenda papers are published five clear working days before the meeting. Alternatively, a limited supply of agendas will be available at the meeting, free of charge, and all agendas, reports and minutes can be viewed and downloaded from our website www.dover.gov.uk. Minutes are normally published within five working days of each meeting. All agenda papers and minutes are available for public inspection for a period of six years from the date of the meeting.
- If you require any further information about the contents of this agenda or your right to gain access to information held by the Council please contact Rebecca Brough, Democratic Services Manager, telephone: (01304) 872304 or email: democraticservices@dover.gov.uk for details.

Large print copies of this agenda can be supplied on request.

Declarations of Interest

Disclosable Pecuniary Interest (DPI)

Where a Member has a new or registered DPI in a matter under consideration they must disclose that they have an interest and, unless the Monitoring Officer has agreed in advance that the DPI is a 'Sensitive Interest', explain the nature of that interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a DPI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation permitting them to do so. If during the consideration of any item a Member becomes aware that they have a DPI in the matter they should declare the interest immediately and, subject to any dispensations, withdraw from the meeting.

Other Significant Interest (OSI)

Where a Member is declaring an OSI they must also disclose the interest and explain the nature of the interest at the meeting. The Member must withdraw from the meeting at the commencement of the consideration of any matter in which they have declared a OSI and must not participate in any discussion of, or vote taken on, the matter unless they have been granted a dispensation to do so or the meeting is one at which members of the public are permitted to speak for the purpose of making representations, answering questions or giving evidence relating to the matter. In the latter case, the Member may only participate on the same basis as a member of the public and cannot participate in any discussion of, or vote taken on, the matter and must withdraw from the meeting in accordance with the Council's procedure rules.

Voluntary Announcement of Other Interests (VAOI)

Where a Member does not have either a DPI or OSI but is of the opinion that for transparency reasons alone s/he should make an announcement in respect of a matter under consideration, they can make a VAOI. A Member declaring a VAOI may still remain at the meeting and vote on the matter under consideration.

Note to the Code:

Situations in which a Member may wish to make a VAOI include membership of outside bodies that have made representations on agenda items; where a Member knows a person involved, but does not have a close association with that person; or where an item would affect the well-being of a Member, relative, close associate, employer, etc. but not his/her financial position. It should be emphasised that an effect on the financial position of a Member, relative, close associate, employer, etc OR an application made by a Member, relative, close associate, employer, etc would both probably constitute either an OSI or in some cases a DPI.



Notice of Forthcoming Key Decisions

[This updated version of the Notice supersedes all other versions issued in previous months]

Publication Date: 31 January 2017

Notice of Forthcoming Key Decisions which will be made on behalf of the Council

Key Decisions 2016/17	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
1	Preparation of the Dover District Council Draft Community Infrastructure Levy Charging Schedule	3 December 2012 and dates to be confirmed
2	Neighbourhood Plans	June 2013 and ongoing (see entry)
3	Gypsy, Traveller and Travelling Showpeople Development Plan	This entry has been withdrawn as it will be included in the review of the Local Plan (see entry no. 36)
4	Dover Town Centre Regeneration: To consider progress on the Compulsory Purchase Order and any issues arising which may go beyond the scope of the resolutions incorporated in Minute CAB 87	8 September 2014/24 April 2015/7 March 2016 and ongoing
5	Approval of the award of a contract for the electrical re-wiring of Council-owned properties	This entry has been withdrawn
6	Revised Hackney Carriage and Private Hire Licensing Policy	1 February 2016 and 4 July 2016
7	To consider: a) the result of consultation on the extension of the Kingsdown Conservation Area boundary and b) the introduction of an Article 4 Direction	a) 29 February 2016 b) 5 September 2016
8	To seek approval for the implementation of the Indoor Sports Facility Strategy and support the work being undertaken to replace Dover Leisure Centre.	7 March and 4 July 2016
9	Approval of Housing Adaptations Policy	9 May 2016
10	To seek Cabinet approval for public consultation on draft Nelson Street, Deal Conservation Area Appraisal	5 September 2016 and 9 January 2017
11	Future provision of Grounds Maintenance Services	9 May 2016
12	Extension to fitness suite at Tides Leisure Centre, Deal	Project delayed pending appointment of new operator for Tides Leisure Centre
13	Parking Strategy Review	9 May and 5 September 2016
14	Approval of Fuel Poverty Strategy for Kent	5 September 2016
15	Review of Aylesham Village Expansion Development Agreement	7 November 2016

Key Decisions 2016/17	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
16	Approval to develop detailed plans for replacement of Dover Leisure Centre	25 July/20 September and 15 December 2016 (special Cabinet meetings) and 4 September 2017
17	Project approval for the refurbishment of Norman Tailyour House	5 September 2016
18	To agree the Council's requirements for the submission of financial viability assessments	End February/Early March 2017 - date to be confirmed (Developer Contributions Executive Committee)
19	Authority Monitoring Report	1 March 2017
20	Statutory Brownfield Register	To be confirmed
21	Review of Tenancy Strategy and Tenancy Policy	March or April 2017
22	Approval of draft Waterloo Crescent, Dover Conservation Area Appraisal for public consultation	5 December 2016 and date to be confirmed
23	To seek approval for the introduction of fixed penalty notices and the level to be set for fly-tipping offences under Section 33 of the Environmental Protection Act 1990	7 November 2016
24	Approval for the continuation of 'Energy Deal', the Collective Energy Switching Scheme	7 November 2016
25	To implement a recycling reward scheme	5 December 2016
26	Council Tax Reduction Scheme	21 November 2016
27	To approve the cost and contractual arrangements with regard to access to Canadian Estate properties for installation of replacement uPVC windows and redecoration	5 December 2016
28	Agreement on levels of Fees and Charges for 2017/18	9 January 2017
29	Recommendation to Council of the draft 2017/18 Budget and Medium-Term Financial Plan 2017/18-2020/21 and approval by Cabinet of various delegations within the Budget	6 February and 1 March 2017
30	Thanet District Council Preferred Options Local Plan	1 March 2017
31	Canterbury City Council Local Plan (Proposed Main Modifications)	1 March or 3 April 2017
32	To approve the award of a contract for the preparation of a planning application and an application for Scheduled Monument Consent for a Commonwealth War Memorial at Western Heights, Dover	No earlier than March 2017
33	Appropriation of Assets	1 March 2017
34	Award of 3-year contract for cleaning services (including public toilets)	6 February 2017
35	Award of 3-year contract for cleaning services for Council's Whitfield offices	6 February 2017

Key Decisions 2016/17	Item	Date of meeting at which decision will be taken by Cabinet (unless specified otherwise)
36	Review of Local Plan	1 March 2017 and dates to be confirmed
37	Property Acquisitions	Ongoing (decisions to be taken by Portfolio Holder for Corporate Resources and Performance)
38	Approval for public consultation on draft South Barracks Conservation Area Appraisal	8 May 2017 and date to be confirmed
39	To consider the results of public consultation on the Waterloo Crescent Conservation Area Appraisal and approve public consultation on proposed boundary extensions	3 April 2017 and dates to be confirmed
40	To consider the results of public consultation on the extension of the Nelson Street Conservation Area boundary and the introduction of an Article 4 Direction	8 May 2017 and date to be confirmed
41	Review of Parking Charges	1 March 2017

- Note: (1) Key Decisions which are shaded have already been taken and do not appear in this updated version of the Notice of Forthcoming Key Decisions.
- (2) The Council's Corporate Management Team reserves the right to vary the dates set for consultation deadline(s) and for the submission of reports to Cabinet and Council in respect of Key Decisions included within this version of the notice. Members of the public can find out whether any alterations have been made by looking at the Council's website (www.dover.gov.uk).

OVERVIEW AND SCRUTINY WORK PROGRAMME 2018/19

SCRUTINY (POLICY AND PERFORMANCE) COMMITTEE

Month	Issue	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
5 June 2018	Repairs to Parks, Gardens and Churchyards	Single Meeting	Director of Environment & Corporate Assets	£0	£0	To consider the report.
19 June 2018	Dover Leisure Centre Update and site visit (4.30pm)	Single Meeting	Director of Environment & Corporate Assets	£0	£0	To receive an update and conduct a site visit.
3 July 2018	To consider an options appraisal and feasibility study for Tides Leisure & Indoor Tennis Centre and seek approval to progress to the detailed design phase	Single Meeting	Director of Environment & Corporate Assets	£0	£0	To consider the report. [Identified from Forward Plan for scrutiny]
	Short Term Proposal For The Former Co-Op Building, Castle Street, Dover	Single Meeting	Directors of Environment & Corporate Assets & Finance, Housing & Community	£0	£0	To consider the report.
	To decide on requirements for a new Public Spaces Protection Order following public consultation	Single Meeting	Director of Environment & Corporate Assets	£0	£0	To consider the report. [Identified from Forward Plan for scrutiny]
August 2018	No Scheduled Meeting					

Month	Issue	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
11 September 2018	Planning Enforcement Plan	Single Meeting	Director of Environment & Corporate Assets	£0		To consider the report. [Identified from Forward Plan for scrutiny]
	Statement of Community Involvement	Single Meeting	Chief Executive	£0		To consider the report.
	Performance Report Q1	Single Meeting	Chief Executive	£0		To consider the report.
2 October 2018	Accommodation Charter Update	Single Meeting	Director of Governance	£0		To consider the report.
	Update on Universal Credit	On-going	East Kent Housing	£0		To receive an update.
October 2018 [tbc]	BREXIT Implications for the Dover District	Single Meeting	Chief Executive / Director of Environment & Corporate Assets	£0		To receive an update. [Added at request of Cllr Mills].
6 November 2018						
4 December 2018	Performance Report Q2	Single Meeting	Chief Executive	£0		To consider the report.
15 January 2019						

Month	Issue	Resource Implications for Scrutiny				Action
		Members	Officers (Corporate Expenditure unless otherwise stated)	Scrutiny Budget Expenditure		
				Projected	Actual	
12 February 2019	Performance Report Q3	Single Meeting	Chief Executive	£0		To consider the report.
	Scrutiny of the Council's budget	Single Meeting	Corporate Management Team	£0	£0	To scrutinise the Council's budget for 2019/20.
	Fees and Charges	Single Meeting	Corporate Management Team	£0	£0	To be considered as part of the budget scrutiny process.
12 March 2019						
2 April 2019	Performance Report Targets 2018-19	Single Meeting	Chief Executive	£0	£0	To consider the report

Please note items beyond the current month are subject to change depending on Forward Plan, etc.

Municipal Year 2018/19

Agreed for Inclusion?	Subject	Resource Implications				Action
Yes	Creation of a Local Property Company	Single Meeting	Director of Environment & Corporate Assets	£0		To consider the report. [Identified from Forward Plan for scrutiny]
Yes	Property Investment Strategy	Single Meeting	Director of Finance, Housing and Community	£		To receive an update

Yes	Dover Town Centre Regeneration	Meeting of both scrutiny committees	Corporate Management Team	£		To hold a meeting of both scrutiny committees to consider the proposals for the regeneration of the wider town centre.
Yes	Dover Leisure Centre	On-going	Director of Environment and Corporate Assets	£0		To consider reports at each relevant stage in the process.
Yes	Digital Strategy	Single Meeting	Head of Community Services	£		To receive an update on the Council's digital strategy.
Yes	Lorry Parking in the Dover District	On-going	Various	£		To consider issues of illegal and anti-social lorry parking in the wider District.
Yes	Open Championship Golf	On-going	Corporate Management Team	£		To receive updates at appropriate milestones.

Subject:	PERFORMANCE REPORT – QUARTER 1, 2018/19
Meeting and Date:	Cabinet – 10 September 2018 Scrutiny (Policy and Performance) Committee – 11 September 2018
Report of:	Nadeem Aziz, Chief Executive
Portfolio Holder:	Councillor Mike Conolly, Portfolio Holder for Corporate Resources and Performance
Decision Type:	Non-Key Decision
Classification:	Unrestricted

Purpose of the report: To monitor performance against key objectives.

Recommendation: The Council’s Performance Report and Actions for the 1st Quarter 2018/19 be noted.

1. Summary

The Council’s Performance Report for the 1st Quarter 2018/19 reports on performance against key performance targets throughout the Council, East Kent Shared Services and East Kent Housing during the first quarter. It incorporates comments from each Director on performance within their directorate plus any key initiatives and concerns they may have.

2. Introduction and Background

- 2.1 Monitoring of performance against key targets is key to the achievement of the Council’s aims and objectives. The Performance Report provides a summary of the Councils key performance figures for the 3 months to 30 June 2018.
- 2.2 The Performance Report contains information relating to the performance of the Council against key corporate indicators and considers the performance of a range of indicators against previous year’s performance.
- 2.3 The Performance Report identifies areas where performance is on track throughout the first quarter of 2018/19, whilst recognising the need for further improvements in some areas. Each Director provides additional commentary focussing on areas of high or low performance.
- 2.4 The report highlights a significant drop in the number of homeless cases where we accept a duty to rehouse. This is due to the new Homelessness Reduction Act (The Act) introduced in April this year. The Act structures how a Local Authority deals with households who approach with a homelessness issue. If they are not actually going to be homeless within 56 days we have a ‘Prevention Duty’ to try and avoid the household becoming homeless. If we are unable to prevent the homelessness or if the household is homeless at the point they approach the council, we have a ‘Relief Duty’ to try and relieve their homelessness. This lasts for a further 56 days and may or may not include providing them with temporary accommodation. MHCLG guidance suggests that those cases moving into the relief stage (and those who

approach at the relief stage i.e. actually homeless), should not be accepted as being owed a homelessness duty until the end of the 56 days as it may divert the focus away from trying to relieve the homelessness. This accounts for the drop in acceptances between the introduction of the Act in April 2018 and the end of the quarter in June. The majority are legacy cases where homeless applications were taken prior to 1 April and decisions were subsequently made.

2.5 A section is included to show performance within the Shared Services against key indicators. A more comprehensive set of indicators for EK Services, including Civica, and East Kent Housing are monitored through the monitoring structures established by the Agreements under which those services are delivered, with any areas of significant concern being capable of escalation into this quarterly monitoring report, if required.

3. **Identification of Options**

3.1 Not applicable.

4. **Resource Implications**

4.1 None.

5. **Corporate Implications**

5.1 Comment from the Section 151 Officer: The Director of Finance, Housing and Community has been consulted in the preparation of this report and has no additional comments to add. (HL)

5.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.

5.3 Comment from the Equalities Officer: This report does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15> ‘

6. **Appendices**

Appendix 1 – Q1 Performance Report

7. **Background Papers**

None.

Contact Officer: Michelle Farrow, Head of Leadership Support

Dover District Council Performance Report For the Quarter Ending – 30 June 2018

Introduction

- Summary of Performance Indicators

KEY

▲	Improved performance
▶	Maintained performance
▼	Decline in performance

Status	Quarter 1		Quarter 2		Quarter 3		Quarter 4		Direction of Travel to previous Qtr
	No.	%	No.	%	No.	%	No.	%	
Green	21	68%							▼
Amber	6	19%							▼
Red	4	13%							▼
Total	31	100%							

Shared Services Performance

EK Services & DDC Digital

PI	Description	Outturn 2017/18	DDC Target 2018/19	Q1	Q2	Q3	Q4	Current Cumulative figure	Absolute Number of Cases this Qtr where applicable	Direction of Travel to previous Qtr	RAG Status
ACC011	Percentage of on-line payments to cash and cheque	89%	Data for information only	90%				90%		▲	N/A
EKS01d	Percentage of incidents resolved within agreed target response time - ICT	97.50%	95%	96%				96%		▼	Green

EK Services & DDC Digital

PI	Description	Outturn 2017/18	DDC Target 2018/19	Q1	Q2	Q3	Q4	Current Cumulative figure	Absolute Number of Cases this Qtr where applicable	Direction of Travel to previous Qtr	RAG Status
EKS02d.1	Percentage of incidents resolved within 1 working day	76%	60%	69%				69%		▼	Green
EKS02d.2	Percentage of incidents resolved within 3 working days	86.75%	80%	83%				83%		▼	Green
EKS04d	Percentage availability of email service	99.96%	97.50%	100%				100%		▶	Green
PLA005	Percentage of electronic planning applications received	82.05%	80%	76.79%				76.79%	435	▼	Amber
WEB001	Percentage availability of the corporate website (DDC responsibility)	99.95%	99.50%	100%				100%		▶	Green
WEB002	Number of Keep me Posted subscriptions	74,413	N/A	8,264				8,264		▼	N/A
WEB003	Facebook subscribers	5,908	N/A	6,063				6,063		▲	N/A

EKS Director's Comments

Performance:

Performance in quarter 1 for "incidents resolved" met targets set whilst slightly below the 2017/18 outturn figures. Performance levels will be monitored throughout the year

EK Services & DDC Digital

PI	Description	Outturn 2017/18	DDC Target 2018/19	Q1	Q2	Q3	Q4	Current Cumulative figure	Absolute Number of Cases this Qtr where applicable	Direction of Travel to previous Qtr	RAG Status
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Key Initiatives/Outcomes:

Nothing to report for Q1

Concerns/Risks

Nothing to report for Q1

Civica

Benefits

KPI01-D (was EKS13d)	Pay benefit quickly	6.27 days	8.5 days	5.96 days				5.96 days		▲	Green
KPI02-D (was EKS14d)	Percentage of correct Housing Benefit and Council Tax Benefit decisions	99.54%	96%	96.95%				96.95%		▼	Green

Council Tax

KPI03-D (was EKS18d)	The percentage of council taxes due for the financial year which were received in year by the authority.	97.87%	97.80%	29.08%				29.08%		N/A	N/A
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Business Rates

KPI04-D (was EKS19d)	Percentage of Business Rates collected	99.02%	98.20%	30.60%				30.60%		▲	Green
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Customer Services

KPI06-D (was EKS026d)	Average call waiting time in seconds	1 minute 28 seconds	90 seconds	77 seconds				77 seconds		▲	Green
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Civica Comments

Performance:

Strong performance across nearly all Key Performance Indicators (KPIs) with no concern over ultimate annual performance. Customer Services built on improvements generated through direct transformation and benefitted from significantly reduced contact as a result of transformation within Revenues and Benefits. During June call wait times achieved 37 Seconds (77 Seconds YTD) against a target of 90 seconds. Call handling to East Kent Housing continued to improve and performance exceeded historic target for the first time in many months.

The collection of Council tax during June was just below target, largely caused by month end falling over a weekend. £81K of payments made by customers at the end of June did not credit accounts until July. With those payments taken into account Dover was 0.08% below target. The team are confident that the year end collection is not at risk.

Key Initiatives/Outcomes:

Using an idea already in place in another Civica site, we have developed a 'link sender' to assist customers struggling to find information on the websites. Rather than talk the customer through the website navigation, they can now be instantly sent a link to their destination page within an email, thereby reducing call handling time and maximising the changes of the transaction being completed digitally. This is currently live in Dover.

Preparation for the single person discount review is completed and is scheduled to start in July 2018.

The New Homes Bonus project is underway and letters were due to be sent out mid-July.

The 'Accelerate Recover Team' (ART) is now actively processing cases relating to Council Tax arrears and the Housing Benefit Overpayment project is well underway.

Concerns/Risks:

Nothing to report for this quarter.

EK Housing

PI	Description	Outturn 2017/18	DDC Target 2018/19	Q1	Q2	Q3	Q4	Current Cumulative figure	Absolute Number of Cases this Qtr where applicable	Direction of Travel to previous Qtr	RAG Status
EKHL1	Average time taken to re-let council dwellings	13.71 days	15 days	18.58 days				18.58 days		▼	Red
EKHC2	Rent arrears as % of annual debit	2.35%	2.50%	2.89%				2.89%		▼	Red
EKHC3	Former tenant arrears as % of annual debit	0.73%	0.50%	0.84%				0.84%		▼	Red
EKHD1	Total current tenant arrears (including court costs)	£466,344	N/A	£562,672				£562,672		▼	N/A
EKHD2	Average current tenant arrears per rented unit	£97.17	N/A	£118.96				£118.96		▼	N/A
EKHD3	Total former tenant arrears (including court costs)	£144,542	N/A	£163,813				£163,813		▼	N/A
EKHD4	Amount of former tenant arrears written off	£9,242	N/A	£0.00				£0.00		▲	N/A
EKHM1	Percentage of total responsive jobs completed on time	99.59%	98%	98.39%				98.39%	1347 of 1369	▼	Green
EKHM5	Percentage of properties with a valid gas safety certification	99.90%	100%	99.85%				99.85%	4040 of 4046	▼	Amber

East Kent Housing Director's Comments:

Performance:

- Re-let times have increased due to higher levels of work required to clear/repair properties before bringing them back into use. Of the 18.58 calendar days to re-let non-Major Work voids, an average of 17.12 calendar days were spent carrying out these necessary works.
- Current tenant arrears continue to be affected by the roll-out of Universal Credit (UC) across all of the districts. At the end of June, Dover had 476 full UC cases constituting £265,242 of the total arrears. The roll-out of UC has an impact in terms of the length of time it takes to manage UC cases as well as on the level of resources needed to manage all arrears cases, including former tenant arrears.

EK Housing

- Responsive repairs performance has dropped slightly, but remains in target
- Gas safety performance has not met target for the quarter, although all overdue properties now have a valid LGSR or are currently not occupied.

Key Initiatives/Outcomes:

We have been closely monitoring the impact of Universal Credit (UC) on arrears in order to understand both the cost (the proportion of the arrears that are UC cases) and the impact on resources (how much additional time it takes to manage UC cases). Targets for 2018/19 (2.50% of annual debit) make allowances for the additional time, resources and delays caused by UC, but still remain challenging.

Of the overall arrears of £562,672, £265,242 directly relates to the 476 households who are now in receipt of full Universal Credit. A further £9,806.12 relates to 16 households that are due to move onto full UC in the coming weeks/months and £31,793 are court costs. Although the time taken to assess each individual UC claim is different the published assessment period is some 4- 6 weeks.

Concerns/Risks:

The roll-out of Universal Credit has been our over-riding concern with regard to income generation and support for tenants. This is going to have an increasing impact throughout 2018/19 as numbers of cases increase and the benefit continues to be rolled out. The additional resource required for UC cases also has an indirect impact on our ability to manage other, more traditional arrears cases. For this reason the level of arrears are likely to remain high as a reflection of the new system in place.

We are also closely monitoring our contractor arrangements in respect of LGSRs; new measures of performance and independent scrutiny are being put in place to ensure the service meets the standards expected, and greater efforts made to ensure all works are completed on time.

Finance, Housing & Community

PI	Description	Outturn 2017/18	DDC Target 2018/19	Q1	Q2	Q3	Q4	Current Cumulative figure	Absolute Number of Cases this Qtr (where applicable)	Direction of Travel to previous Qtr	RAG Status
ACC004	Percentage of invoices paid on time	96.56%	91.50%	98%				98%	2154	▲	Green
CSU001	Percentage of ASB cases resolved within 30 days	100%	98%	100%				100%	63	▶	Green
HOU010a	Number of households living in Temporary Accommodation including B&B	89	90	96				96		▼	Amber
HOU010b	Number of households in bed & breakfast (The data provided in HOU010a and b shows the number of households on the last day of the quarter.)	24	20	27				27		▼	Red
HOU011	The number of households presenting as homeless where a duty to re-house is accepted	173	N/A	17				17		▲	N/A
HOU012	The number of children in B&B and nightly paid	131	N/A	134				134		▼	N/A
PSH007	Number of DFG applications completed (for information only)	66	N/A	30				30		N/A	N/A
PSH008	Percentage of completed DFG applications approved within 10 working days from receipt of application	91.30%	N/A	87%				87%		▼	N/A

Finance, Housing & Community Director's Comments:

Performance: The number of households in temporary accommodation and Bed & Breakfast are slightly above target, however the impact of the Homelessness Reduction Act has not yet stabilised and it is not possible to provide a reliable projection of position by year end. The budget, in terms of spend in Temporary Accommodation, is expected to be in budget

Performance Summary – General Fund, HRA and Capital

Performance:

General Fund Revenue Budget

- As at 30th June 2018 the General Fund is projecting a surplus of £148k, an improvement of £49k on the original budgeted surplus of £99k, as shown in the table below:

General Fund Budget Monitoring Summary to 30th June 2018	£000	£000
Original budget deficit		(99)
Property Services - Building surveyor (part year) and Technical Support Officer posts – awaiting identification of project funding	47	
EKHR & Payroll - Estimated savings from re-working opening budget position	(43)	
Waste - Recycling - extra garden waste income, less minor increase in waste admin costs	(35)	
Investment income - Additional income due to slightly improved returns from investments in Pooled Funds and assumption that maturing gilts will be placed in such funds	(14)	
Other net variances – favourable	(4)	
Total Variances – favourable		(49)
Projected budget deficit		(148)
Balances Brought Forward		(2,527)
Projected Year End Balances		(2,675)

- Homelessness – the figures assume that savings arising from completion of the Folkestone Road properties, 11 HRA buy-back purchases and general reduction in B&B / nightly paid numbers and durations will be sufficient to meet the £200k savings target included in the original budget. Therefore there is currently no net impact on the budget (pressure or saving) within the first quarter's figures. However, please see the "Concerns/Risks" section below.
- The use of the Housing Initiatives Reserve and the 1:4:1 monies (retained right-to-buy receipts) is underway to increase the stock of properties within the HRA, particularly of properties that could be used to provide interim accommodation to homeless people.
- The Treasury Management returns are currently marginally exceeding budget and, assuming the £1.9m of UK Gilts maturing in July 2018 are also re-invested in pooled funds, we are currently forecasting a small favourable result for the year (£14k General Fund).
- Income from green/garden waste is currently expected to exceed budget due to increased subscription levels (£38k favourable).
- At the time of compiling this report, we were still awaiting first quarter figures for Business Rates from EKS. Figures will be reviewed for the 2nd quarter and income adjusted as required.
- Parking income will be fully reviewed for the 2nd quarter to determine whether changes to budget assumptions (with less Sunday charging than budgeted and free parking at St. James) may be compensated by the good summer and people being out and about more and parking in the district generally.

Housing Revenue Account

- The HRA balance at 30 June 2018 is estimated to be £1,012k, reflecting a movement from an expected surplus for the year of £5k reported at the beginning of the year to a surplus of £0k expected for the year as at the end of June:

HRA Budget Monitoring Summary to 30 June 2018	£000	£000
Original budget surplus		(5)
Reduction of external decoration budget due to termination of contract.	(165)	
Increased transfer to Housing Initiatives Reserve	170	
Total Variances – adverse		5
Projected budget surplus		0
Balances Brought Forward		(1,012)
Projected Year End Balances		(1,012)

Medium Term Capital Programme

- Within the capital programme, all projects approved to proceed are fully financed, and there are no significant project overspends. The main changes in the Medium Term Capital Programme are shown below:

Capital Budgets (30th June 2018)	Current year £000	Total Cost of Programme £000
Position as at 30th April 2018	82,935	278,006
Phasing changes following adjustments made to the timing of projects to reflect the final 2017/18 outturn and the 2018/19 forecasts.	(757)	-
Projects completed in 17/18 ; including £21,742k for Property Investment Strategy acquisitions and £2,986k for grant issued to Discovery Park	-	(25,585)
Total Capital Programme – position as at 30th June 2018		

Concerns/Risks:

- The implementation of the new Homeless Reduction Act in April 2018 has resulted in an initial increase in homeless applications to the council and the new process has various stages of responsibilities that may result in changes to the figures moving forward. The position is being continuously monitored and will be reported further in future reports.
- Appeals and public inquiries against planning decisions are occurring more regularly and can be expensive and time-consuming to resolve. While money is set aside in reserves for the ongoing costs of prior year appeals, these may not be sufficient to fund new appeals arising or unexpected additional costs. It is under discussion whether specialist planning and legal advice in relation to the resubmitted planning application for Western Heights, alongside prospective appeals against the final decision in respect of it, as well as a further public inquiry re Abbey Homes can be partially funded from contingency, as costs for these may be as high as £300k.

- Additional planning resource has been engaged, currently funded from reserves (including from excess planning income), which is likely to create a future pressure, as the specific earmarked reserves are now being depleted.
- Investment income remains under pressure from low interest rates and uncertainty following the Brexit vote. In 2017/18 the Council made investments in Diversified Income Funds (pooled funds) to offset the impact of reducing interest rates on bank deposits, money market funds and loans to other local authorities. This continues to enable us to increase returns for current and future years.
- Business Rates (BR) income remains volatile and complex to calculate, and is subject to changes arising from: the 2017 revaluation; the level of successful appeals; the profiling of Enterprise Zone relief given; the levels of claims for Small Business Rates Relief and other reliefs; and fluctuations in estimates of 'business rates growth' due to the scale or timing of regeneration projects.
- BR income is subject to on-going pressure from unresolved appeals and, from 2017/18, the impact of the 2017 revaluation by VOA. There are £27.4m approx. in rateable value of appeals outstanding at 31st May 2018 against 2010 valuations, including the addition of Dover Harbour Board (DHB) for the first time (RV £5.24m). The top 10 appeals account for 93% of this value (£25.6m). Early indications suggest the DHB appeal is against a £10k alteration only, but further clarification is being sought. There will also be further appeals against the 2017 valuation list.
- Business Rates growth may be slower than forecast and impacted by lower RVs than originally estimated by VOA, affecting our retained income. Progress at St. James is positive and ongoing, but some units remain unlet and, alongside fit-out times, attract empty rates exemptions for 3 months. The budget allowed for a full year's income from all units, but reduced to 90% to be cautious. However, final RVs of 3 occupied units have come in lower from VOA than expected, leading us to revise the total RV of St. James downwards from £2,438k to £1,901k, equating to a reduction in full year income of £1/4m (£100k DDC share @ 40%). No changes are currently included for the first quarter's income, but the situation will be reviewed for Q2.
- There are also upside risks in respect of business rates, such as the favourable impact of being in the pilot scheme, and the positive impact of changes to occupancy at Discovery Park, improving the levels of Enterprise Zone relief and its compensatory grant from Central Government. These are in the process of being reviewed, although the final retained income from the pilot scheme is now interdependent on the results of the other Kent authorities.
- Separately a 'Business Rates & Council Tax' reserve has been established to help smooth out the impact of changes in BR income and the timing of its recognition under statute.
- Please see the main Budget Monitoring report for further details of current issues and their mitigation.

Key Initiatives/Outcomes:

Work is underway to tackle the costs associated with homelessness, short term accommodation placements and the shortage of housing stock (see General Fund section above), and to identify additional funding for the potential costs of Western Heights and Abbey Homes specialist planning advice, legal costs and appeals/inquiries (see Concerns/Risks above). Otherwise, the projected outturns for General Fund, HRA and Capital Programme do not indicate the need for corrective action in 2018/19. Where appropriate the variances identified will be taken into account in the 2019/20 – 2022/23 MTFP and will continue to be monitored during subsequent years.

Governance

PI	Description	Outturn 2017/18	DDC Target 2018/19	Q1	Q2	Q3	Q4	Current Cumulative figure	Absolute Number of Cases this Qtr (where applicable)	Direction of Travel to previous Qtr	RAG Status
GOV001	Number of working days/shifts lost due to sickness absence per FTE	6.35 days	N/A	1.78 days				1.78 days		▼	compare to Q1 2017/18
GOV002	Number of working days/shifts lost due to long term sickness absence over 10 days per FTE	3.16 days	N/A	1.11 days				1.11 days		▼	compare to Q1 2017/18
LIC005	The percentage of licensed premises inspections completed by target date	49.50%	80%	100 %				100%	40	▲	Green
LIC006	The percentage of unopposed licensing and permit applications processed within 5 working days	97.50%	75%	99%				99%	247	▲	Green
ENH005	Percentage of complaints regarding nuisance responded to within 5 working days	98.50%	95%	99%				99%	269	▶	Green
ENH012	Number of Fixed Penalty Notices issued for litter	1781	N/A	296				296		N/A	N/A
ENH013	Percentage of stray dog enquiries responded to within target time.	99.75%	95%	100 %				100%	62	▶	Green
ENH015	Number of Fixed Penalty Notices issued for dog fouling	11	N/A	5				5		N/A	N/A
ENH016	Number of Envirocrime prosecutions completed	113	N/A	85				85		N/A	N/A

Governance Director's comments

Performance:

The Regulatory Services team have worked hard to maintain their performance across the board in the last quarter. However, in particular the Licensing team have managed to achieve a 99% performance rate in relation to LIC006 (The percentage of unopposed licensing and permit applications processed within 5 working days) despite the fact the 2 experienced Technical Support Officers are on maternity leave until March 2019. The inexperienced staff providing maternity leave cover picked up the procedures very quickly.

Governance

During 2017/18 there were a total of 5 applications made and approved for the use of Covert Surveillance in accordance with the Regulations of Investigatory Powers Act and 3 applications for communications data. All applications were relating to investigations into fly tipping incidents within the District. There have been no applications made during the first quarter of this year.

Key Initiatives/Outcomes:

The Envirocrime Team continue to successfully enforce litter, dog fouling and fly tipping, with a number of successful prosecutions during the quarter. During Q1, the new GDPR requirements have continued to be rolled out across the Council with a corporate privacy notice and over a dozen service specific privacy notices introduced, with accompanying strap lines. Updated retention schedules are now in place for nearly all services and a new subject access request form has been developed. The Council website has been updated to reflect the latest legislation and information.

The Council's apprenticeship programme continues to be rolled out, with four new apprenticeships post approved for Accountancy, Financial Services, Legal Services and Community Services during the quarter. Work continues with EKHR to identify future opportunities across the Council. A number of work placements have also been agreed or are being currently considered which will be delivered during the summer months or throughout the 18/19 school terms.

The Local Government Boundary Commission for England published its draft recommendations on the new ward boundaries for the district and is consulting from 5 June to 13 August on its draft proposals.

Concerns/Risks:

This Council has been particularly successful in creating apprenticeship opportunities, which includes a detailed work programme and mentor for each post, linked to a registered training provider. The Council has met its Government Target for the number of apprentices for 17/18, but has still not spent all of its levy pot and if not utilised within two years, this will be recovered by the Government. Therefore innovative apprenticeship training and development solutions are being explored to help upskill staff, whilst legitimately spending the levy pot.

Division	FTE @ 1 April 2018	(Leavers)/ Joiners/ Transfers	FTE @ 30 June 2018
Chief Executive	37.13	-1	36.13
Governance	46.3	+2	48.30
Finance, Housing and Community	45.10	-1	44.10
Environment and Corporate Assets	93.03	+1	94.03
HR & Audit	26.59	+0.85	27.44
Total Staff FTE	248.15	+1.85	250

Environment & Corporate Assets

PI	Description	Outturn 2017/18	DDC Target 2018/19	Q1	Q2	Q3	Q4	Current Cumulative figure	Absolute Number of Cases this Qtr (where applicable)	Direction of Travel to previous Qtr	RAG Status
PKG003	Number of PCNS issued	17,433	N/A	3794				3794		N/A	N/A
MUS002	The number of visits to the museum in person per 1,000 population	229.11	200	69.48				69.48		▲	Green
WAS003	Number of collections missed per 100,000 collections of household waste.	3.75	15	5				5		▼	Green
WAS010	Residual household waste per household	339kg	350kgs	365kgs				365kgs		▼	Amber
WAS011	Household waste sent for reuse, recycling or composting	49.50%	50%	48%				48%		▼	Amber
WAS012	Environmental cleanliness: Percentage of streets containing litter	6.75%	5%	6%				6%		N/A	N/A
WAS013	Environmental cleanliness: Percentage of street containing detritus	14.25%	10%	23%				23%		N/A	N/A

Environment & Corporate Assets Director's comments

Performance:

Performance against PI's remains consistent with and broadly on track to achieve targets. As regards project work, which is a key part of the work of the Directorate, there has been good progress across all service areas as noted in the following paragraphs. The success of the HLF bid for funding for Maison Dieu was particularly welcome and construction of the new Dover District Leisure Centre remains on track and on budget.

Recruitment to the roles of Strategic Tourism Manager and Transport & Parking Services Manager is well advanced which will help to strengthen capacity within these service areas.

Environment & Corporate Assets

Key Initiatives/Outcomes:

Parking

The Parking services team continued to be directly managed by the Director through Q1, but is now under the day to day management of the Head of Operational Services pending the appointment of the Transport and Parking Services Manager. Consultations have been undertaken on proposals to extend resident parking zones to Beechwood Avenue, Deal, and Priory Hill, Priory Grove & The Abbots, Dover, and work is in hand to put the agreed controls in place.

The Council has been advised by Sainsbury's that they wish to terminate the long standing agreement with the Council to manage the store's car park in Deal from early August 2018. It is understood that they are transferring responsibility for many of their car parks to Horizon Parking who will be operating a similar parking regime enforced with ANPR cameras.

The agreements with English Heritage for the Council to manage the car parks at Walmer Castle and Deal Castle have now been completed and charging was introduced in June/ July. The Council provides enforcement services and manages the P&D machines and collects the cash which is repaid to English Heritage.

Museum & Tourism

The plans to strengthen the Council's role in supporting the local tourism economy are advancing well. The new post of Strategic Tourism manager has been advertised, with interviews held in mid-July. Once the new appointee takes up the post, work can commence in earnest to develop the new Tourism Strategy, which it is intended will be ready for approval early next year.

The Council is working with Kent CC on their project to revamp the Discovery Centre which is now gathering pace as this provides a potential opportunity to deliver benefits for the Dover Museum as the project develops.

Waste Services

The review of future service provision undertaken in partnership with the other East Kent authorities working with KCC and supported by the consultants Ricardo continues to progress. The study is being led by Dover DC with the initial work seeking to model options for the development of the current collection scheme to inform discussions with EK Leaders and Chief Executives. Proposals for investment in infrastructure such as the potential for an East Kent MRF and options to simplify bulking arrangements are also being scoped out. A Cabinet report will be made later in the year to provide an update on progress as the current contract with Veolia is due to end in January 2021 and decisions will be needed over the coming few months both in terms of the service methodology and whether the existing partnership with Folkestone & Hythe DC is to continue.

At a national level, the management of waste and especially recycle continues to attract headlines. It is understood that the Government intends to publish a draft Recycling & Waste Strategy later this year for consultation, linking in with the EU Circular Economy Package, which it is understood the UK intends to adopt.

Environment & Corporate Assets

Parks & Open Spaces.

This has been a challenging few months for the in-house team, with the wet Spring, which encouraged grass growth immediately followed by of the driest June/ July periods on record. Maintaining grassed areas to standard through April and May is often a challenge and this years' experience was exceptional although standards were generally maintained. In contrast, from June onwards grass cutting has been suspended across the District allowing the team to focus on other tasks. Winter bedding, planted for the first time for some years provided excellent displays through Easter and beyond and once established, and requiring constant watering, summer bedding has similarly attracted much positive comment.

The White Cliffs Countryside Project continues to build relationships with partners and volunteers under the new leadership provided by Richard Haynes, strengthened to some extent by the success of the HLF funded Up on the Downs project, which ends this year. The HLF project at Kearsney continues to progress with the contract for construction of the café about to be awarded.

Overall the team are performing well and delivering the service as envisaged back in 2016. A set of Key Performance Indicators for the Grounds Maintenance service is being developed with the Portfolio Holder to enable effective monitoring of the service.

Assets, Corporate Property & Building Control

The team is engaged on a wide range of corporate projects and continues to adjust work plans to respond to competing priorities. Details are as follows:

Recently completed:

- Dolphin House, Dover: Garage/riverside improvement works – completed July 2018
- 91.93.95 Folkestone Road refurbishment –, completed May 2018
- Zeebrugge Bell, High Street elevation and cannons at Maison Dieu refurbishment & improvements to cemetery.
- Market Square, Aylesham; Fit out of new shops completed July 2018.
- Transfer of existing Dover Leisure Centre from Your Leisure to Places for People
- Resubmission of HLF bid for Maison Dieu, Dover. Decision – Round One bid successful.
- Civica lease for part of Whitfield Offices- completed July 5th

At delivery stage:

- Deal Pier refurbishment – following the discovery of a gas leak, which necessitated a closure of the pier, a number of programmed works were brought forward to eliminate the need for future closures. These comprised, replacing the gas main, a major overhaul of the pumped drainage system, repainting of entrance gates and railings to the stem, (including replacing sections with severe corrosion), and resurfacing. Contracts for replacement seating and lower deck repairs have been let. Works will take place over next couple of months
- Dover District Leisure Centre; New construction – good progress on site, 'topping out' has taken place, with work progressing fast internally.
- Tides Leisure Centre refurbishment; Preparation of business case and replacement of M&E equipment as interim measure. Tenders for works being assessed.
- Deal Pier restaurant, procurement of new tenant- heads of terms have been negotiated over the past 3 months and awarding of new lease is expected in

Environment & Corporate Assets

August.

- Refurbishment of Norman Tallyour House, Deal – currently out to tender.
- Resurfacing of Middle Street and Union Road car parks (including removal of redundant recycling facilities) - out to tender.
- Adjustments to roundabout adjacent to Tesco (planning condition related to the new leisure centre)– out to tender.

At preparation stage:

- Purchase of Housing properties (1-4-1 monies) – 3 properties completed in July 2018. There are 5 further properties where Legal have been instructed and 2 awaiting authorisation to proceed.
- New housing development; William Muge/ Snelgrove, Dover – Planning application submitted 19th July, decision expected October 2018, tender documentation and cabinet report being prepared.
- St James/Old Town, Dover; associated public realm works – DDC supporting ‘coastal communities’ fund’ bid.
- Development of Sweetbriar Lane Elvington site. – viability assessments commissioned , January due back September 2018.

Emerging projects:

- Redevelopment of Co-op site, Castle Street, Dover.
- Updating street lighting stock throughout the district.
- Provision of new museum storage facility to support Maison Dieu project..

Concerns/Risks:

As noted in previous quarterly reports, the various teams within the Directorate are involved in a wide range of projects and initiatives, many of which support key corporate objectives. Whilst progress is being monitored across all areas, there is always a risk that unforeseen events impact on delivery dates as staff time is diverted to deal with the latest crisis. It is a credit to all the staff that they continue to deliver whilst juggling complex workloads.

Chief Executive

PI	Description	Outturn 2017/18	DDC Target 2018/19	Q1	Q2	Q3	Q4	Current Cumulative figure	Absolute Number of Cases this Qtr	Direction of Travel to previous Qtr	RAG Status
GOV003	The number of second stage complaints referred to the Council's Complaints Officer	40	N/A	2				2		N/A	N/A
GOV004	The number of FOI requests received	899	N/A	272				272		N/A	N/A
PLA001	Percentage of major planning applications determined in 13 weeks (exc. section 106 agreements) or within an agreed extension of time or Planning Performance Agreement	89.52%	65%	83.33%				83.33%	6	▼	Green
PLA002	Percentage of non-major planning applications determined in 8 weeks (excluding Section 106 agreements)	87.50%	75%	88.83%				88.83%	198	▲	Green
PLA003	The percentage of decisions for major applications overturned at appeal (+)	2.70%	<10%	16%				16%	6	▼	Amber
PLA004	The percentage of decisions for non-major applications overturned at appeal (+)	3.15%	<10%	0.87%				0.87%	198	▲	Green
PLA007	Number of new houses completed.	106 (Base at 31.03.18 = 52526)	N/A	70				70		N/A	N/A
PLA008	Growth in Business Rates base (number of registered businesses)	25 (Base at 31.03.18 = 4012)	N/A	18				18		N/A	N/A

Chief Executive

PLA009	% of appeals upheld by the Planning Inspectorate as a % of those submitted	N/A	N/A	23%				23%		N/A	N/A
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Regeneration & Development Director's comments:

Performance:

General performance for planning application times remains above target, although some current resource challenges may impact in the next quarter.

The performance target for appeals against the refusal of a Major application only resulted in one being overturned by the Planning Inspectorate, but as this was only out of a total of 6 applications, it has put us below target. Having an appeal target that measures against the total number of applications dealt with initially seemed to be easily achievable, but where application numbers are low, it does not take many unsuccessful appeals to cause concern and risk designation. The 'old' appeals target was a simple look at the numbers won and lost at the Inspectorate and was not measured against overall case numbers. Whilst not an official government PI, it is of interest and I have reinstated it as an informal measure. This brings the data reported more closely in line to that given to Planning Committee each quarter.

A note on PLA0007 and PLA 0008 - This is a relatively crude figure and looks just at the movement in the Council Tax and the Business Rate base. More accurate completion statistics are recorded by Planning Policy for annual reports. The figures in this report give a current indication of trends.

Key initiatives/Outcomes:

A recent meeting with Planning Agents was useful to gauge how the service was perceived from a customer perspective and a meeting with developers is also planned shortly.

The revised NPPF has been published. This is currently being analysed and more detail of its impact on plan making and our decisions will be circulated through future briefings and training.

Two successful workshops have been undertaken in preparation for the Local Plan review with a third planned for the Autumn.

A new charging methodology has been introduced for pre-applications and charges have increased to reflect actual costs. This has had some impact on numbers, but not on overall income targets

Concerns/Risks:

Having lost one of our Principal Planners to the private sector, we are currently recruiting in a market that has seen a lot of activity and has become very competitive following the increase in planning fees.

Although planning appeal performance generally is improving, the relatively small number of major applications skews the performance target against us. However, as the government's designation criteria looks over 2 complete years, one quarter in itself will not be decisive, but it requires careful monitoring

Subject:	PLANNING ENFORCEMENT PLAN
Meeting and Date:	Cabinet – 10 September 2018
Report of:	Diane Croucher, Head of Regulatory Services
Portfolio Holder:	Councillor Nicholas Kenton, Portfolio Holder for Environment, Waste and Health
Decision Type:	Key Decision
Classification:	Unrestricted

Purpose of the report: To seek Cabinet agreement to amendments to the Planning Enforcement Plan Policy document (known as the Planning Enforcement Plan), and seek approval for the adoption of the revised Planning Enforcement Plan.

-
- Recommendation:**
1. To confirm agreement to the amendments to the existing adopted Planning Enforcement Plan policy (known as the Planning Enforcement Plan).
 2. To authorise the Planning Enforcement Manager to amend or edit the Planning Enforcement Plan as, when and where necessary in line with any decision made by Cabinet and/or in accordance with any subsequent changes to legislation or other Council procedures.
-

1. Summary

- 1.1 The original Corporate Enforcement Strategy was approved by Cabinet on 4 February 2013. The Strategy has a number of individual enforcement policies, which set out specific arrangements and procedures for each type of enforcement area. Individual policies were approved by Cabinet on December 2 2013. The current Planning Enforcement policy, referred to as the Planning Enforcement Plan (PEP) was one of the individual policies approved. Amendments to the (PEP) are now being proposed which will update and clarify processes and procedures in relation to the Planning Enforcement function.
- 1.2 The purpose of this Cabinet Report is to seek approval for the amendments proposed to the Planning Enforcement Plan policy and to seek delegated powers to be given to the Planning Enforcement Manager to amend or edit the policy.

2. Introduction and Background

- 2.1 The current Corporate Enforcement Strategy is the overarching document for all types of enforcement action undertaken by the Council. The Enforcement Strategy is supplemented and supported by a range of Enforcement Policies, including the Planning Enforcement policy, known as the Planning Enforcement Plan (PEP), which were approved by Cabinet on 2 December 2013.
- 2.2 Within the Corporate Enforcement Strategy it states that “Individual Enforcement Policies will be developed setting out the specific arrangements and procedures as appropriate for each area or type of enforcement”.
- 2.3 The recently revised National Planning Policy Framework (July 2018) sets out that “local (planning) authorities should consider publishing a local enforcement plan to manage enforcement proactively in a way that is appropriate to their area”.
- 2.4 Amendments are now proposed to the PEP which brings it up to date and seeks to bring clarity to the approaches and processes used to manage this area of planning enforcement. The revised PEP policy document is attached at Appendix 1

2.5 Although the aims and objectives of the revised policy document remain the same, the re-worked PEP sets out that the Council will largely focus its scarce resources more effectively towards those breaches of planning control which are resulting in the most serious harm. The main amendments to the PEP include:

- Reference to updated planning legislation
- Clarification of objectives, priorities and targets for planning enforcement
- Setting out how priorities for planning enforcement are identified
- Provision of greater certainty for all parties involved in the process

3. Identification of Options

3.1 Option 1. Do Nothing

3.2 Option 2. Confirm agreement to the amendments to the PEP policy document and approve the adoption of the amended document for Planning Enforcement purposes

4. Evaluation of Options

4.1 Option 1. This is not a preferred option because this would leave officers to undertake enforcement activity based on outdated procedures and potentially not in line with corporate priorities;

4.2 Option 2. This is the preferred option as the approval of the amended and updated PEP will provide a current, open and transparent procedure for officers and the public which sets out the Council's approach to Planning Enforcement.

5. Resource Implications

5.1 There are no immediate, identifiable resource implications as a consequence of the approval of the amendments to the Planning Enforcement Plan policy document.

6. Corporate Implications

6.1 Comment from the Director of Finance (linked to the MTFP): Finance have been consulted and have no further comments to add (SG).

6.2 Comment from the Solicitor to the Council: The Solicitor to the Council has been consulted in the preparation of this report and has no further comment to make.

6.3 Comment from the Equalities Officer: 'This report does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15>.'

7. Appendices

Appendix 1: Updated and amended Planning Enforcement Plan (PEP) policy document

8. Background Papers

None.

Contact Officer: Diane Croucher, Head of Regulatory Services - Extn 2208.

PLANNING ENFORCEMENT PLAN

1 Aim and Scope of the Plan

- 1.1 The Planning Enforcement Plan sets out how the Council's planning enforcement service will help achieve corporate regeneration objectives, address breaches of planning control and prioritise its work. The plan describes the range of powers available to the Council, how the Council will decide whether or not to pursue planning enforcement action and the process of planning enforcement.
- 1.2 This document amends and updates the Council's Planning Enforcement Plan (PEP) to clarify approaches and processes used to manage this area of planning enforcement.
- 1.3 The re-worked PEP reflects the changes in legislation and guidance that have emerged since the adoption of the original plan and in this light sets out how the Council will largely focus its resources more effectively towards those breaches of planning control which are resulting in most harm.

2 Introduction

2.1 The Town and Country Planning system operates to regulate development and the use of land having regard to Central Government policy and advice, Local Development Plans and other material considerations.

2.2 Section 55 of the Town and Country Planning Act 1990 defines development as "the carrying out of building, mining, engineering or other operation in, on, under or over land or the making of any material change in the use of any buildings or other land".

2.3 A breach of planning control is defined at Section 171A of the Town and Country Planning Act as "the carrying out of development without the required planning permission, or failing to comply with any condition or limitation subject to which planning permission has been granted".

Common alleged breaches of planning control include:

- Building or engineering works that do not have planning permission and which are not development permitted by the Town and Country Planning (General Permitted Development)(England) Order 2015, or any other Order.
- Unauthorised works being carried out to a listed building (referred to in the Town and Country Planning (Listed Building and Conservation Areas) Act 1990 as amended).
- Material changes of use of land or building to a different use carried out without planning permission or which is not development permitted under the

Town and Country Planning (General Permitted Development)(England) Order 2015 or the Town and Country Planning (Use Classes) Order 1987 (as amended).

- Development that has not been carried out in accordance with a planning permission.
- Failure to comply with a condition (or the requirements of a legal agreement) attached to a planning permission.
- Unauthorised works to protected trees.
- Display of certain advertisements, without the necessary consent.
- Untidy Sites, under Section 215 of the Town and Country Planning Act

2.4 Effective enforcement is necessary to protect the district from harmful effects of unauthorised development and to ensure public confidence in the planning system is maintained.

The National Planning Policy Framework (NPPF) identifies that:

“Effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. They should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where appropriate”.(NPPF, para 58, Ministry of Housing, Communities and Local Government July 2018).

Planning Practice Guidance (PPG) sets out that effective enforcement is important as it:

- Tackles breaches of planning control that would otherwise have an unacceptable impact on the amenity of the area.
- Maintains the integrity of the decision making process.
- Helps ensure public acceptance of the decision making process is maintained.

A planning enforcement plan is important because it:

- Allows engagement in the process of defining priorities and objectives that are tailored to local circumstances.
- Sets out priorities for enforcement action which will inform decisions about when to take action.
- Provides greater transparency and accountability about how the local planning authority will decide if it is expedient to exercise its discretionary powers.
- Provides greater certainty for all parties engaged in the development process. (PPG 2014)

2.5 The Regulators' Code sets out the Government's expectations that local authorities will ensure their approach to regulatory activities are transparent. The code came into statutory effect on 6 April 2014 under the [Legislative and Regulatory Reform Act 2006](#) and provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate. It sets out, amongst other things that allegations of breaches of planning control will be investigated subject to a prioritisation process and according to the Code.

The code promotes proportionate, consistent and targeted regulatory activity. See Appendix 1 for more detail on planning enforcement and the Regulators Code.

3 General Principles

3.1 Planning enforcement is discretionary, (except where the carrying out of works has resulted in an offence – such as the carrying of unauthorised work to a listed building, where implications and considerations are different) and when carrying out enforcement action the Council must work within the statutory framework and follow best practice guidance and procedure.

The Council has discretion to take enforcement action when they regard it expedient to do so having regard to the development plan and any other material considerations. This includes a local enforcement plan, where it is not part of the development plan. (PPG 2014)

3.2 The Council is committed to acting in a fair and consistent manner and has adopted an enforcement plan as part of this commitment.

3.3 Resources will be targeted at dealing with the most serious breaches of planning control which cause unacceptable harm to, the quality of life of residents and the natural, historic and built environments.

When exercising its enforcement functions the Council will act in a way that is:

- Transparent.
- Accountable.
- Proportionate.
- Consistent.
- Targeted only at cases in which action is needed.

The provisions of the European Convention on Human Rights such as Article 1 of the First Protocol, Articles 8 and 14 are relevant when considering enforcement action. There is a clear public interest in enforcing planning law and planning regulations in a proportionate way. (PPG 2014)

Reference to relevant documents, advice, guidance and legislation that underpin this Plan can be found at Appendix 2.

4 Local Context

4.1 The Planning Enforcement Plan is formulated to make sure that unacceptable breaches of planning control that cause the most harm are remedied and that development is carried out in accordance with the terms of any approval. This ensures that the Councils Development Plan, which in turn supports Corporate Plan objectives, are being met.

The Planning Enforcement Plan seeks to support:

- A thriving economy.
- A clean, green and safe environment.
- Healthier people and communities.
- A smarter council.

4.2 The Planning Enforcement Team operates within the parameters of the planning legislation. It's approach to investigating breaches of planning control is lead by the Development Plan in force, which conforms to corporate plan objectives. The team are responsible for investigating and resolving allegations of breaches of planning control.

4.4 Whilst the majority of planning enforcement work is reactive, the Council is committed, where practicable and appropriate, to undertake pro-active enforcement action . The Development Plan seeks to transform Dover Town Centre, in particular

so at present this pro-active approach is primarily directed at untidy sites. The Council is currently piloting a street scene improvement initiative within Dover Town Centre area. This initiative involves the Planning Enforcement Team using its powers under s215 of the Act and working in conjunction with other departments to improve and enhance the Dover Town Centre area as part of its regeneration agenda. If successful, this may be extended to cover other areas of the district.

4.3 The Council monitors the implementation of planning permissions in different ways. It monitors housing development permissions for the Councils Authority Monitoring Report. The Council has a conditions Officer who pursues outstanding conditions with developers as part of conditions submissions pursuant to permissions being granted. The planning enforcement team will be developing protocols for liaison between its internal departments, in particular Building Control, which will include further ways of co-ordinating conditions monitoring in a joined-up approach. In other cases conditions are not routinely monitored. For this type of investigation work, the most efficient use of planning enforcement resources is reactive.

5 How breaches of Planning Control are prioritised and what will and won't be investigated.

5.1 Whilst the majority of alleged breaches of planning control reported will be investigated, the planning enforcement function does not serve the interests of the private individual. It only operates in the wider public interest. The Council does not exercise its planning enforcement powers as a punishment and operates a system where those matters that are considered to be most important, based on planning merits, are given highest priority.

5.2 In view of the significant numbers of complaints that are received and to ensure efficient use of resources, a more targeted and definitive approach is taken towards those breaches that are potentially most harmful.

5.3 A prioritisation approach is being developed which involves the use of a desk based matrix-based scoring and research system to carry out an initial evaluation of an alleged breach of planning control. All alleged breaches are screened, evaluated and scored against specific criteria in this way. The resultant score indicates whether a case is a high, medium or low priority for investigation purposes. The circumstances and details of each alleged breach, including material planning considerations, are taken into account in deciding what level of priority is given to a case.

The matrix and desk based assessment approach is outlined at Appendix 3.

High priority cases include those where:

- Serious harm is being caused to the environment, especially within the AONB and/or to residential amenity;
- Unauthorised works are being carried out to a listed building;
- Significant harm is being caused to the character and setting of a Conservation Area;
- Unauthorised works are being undertaken causing harm or damage to protected trees.

The team will aim to undertake an initial assessment and site visit of all high priority cases within 3 working days of receipt of a valid complaint (see below and Appendix 4).

It should be noted that an allegation of works to a listed building or works being carried out to a protected tree, will usually result in an immediate initial assessment, site visit and inspection by an Investigation Officer.

Medium priority cases include those where:

- Development is contrary to Development Plan Policy or Government Policy AND is unacceptable, cannot be justified and which causes some level of environmental/residential harm – this could include the display of some types of advertisements or untidy sites (under Section 215 of the Act).

Cases that are allocated a medium priority will result in an initial assessment being made, which may include a site visit and inspection within 15 working days of receipt of a valid complaint.

Low priority cases are those which involve minor or technical breaches and / or which are judged to cause little or no harm. These cases include:

- Development which involves minor differences between an approved scheme and what has been built.
- Breaches of condition which are minor in nature and / or are likely to be resolved during the passage of time eg bricks that are a slightly different colour to those which are approved, means of enclosure which differ from details approved etc.
- Breaches of planning control which cause little or no harm to residential and / or environmental amenity eg where an extension or means of enclosure has been carried out without planning permission which is only marginally above or beyond what the permitted development criteria allow.

Where the matrix assessment and desk based research shows the alleged breach to be a low priority, it will not normally be necessary to carry out a site visit or inspection. At that point, provided the Investigation Officer is satisfied with the evidence, the case will be closed.

5.4 Other than cases which relate to unauthorised works to protected trees or to a listed building (which are always high priority and investigated as a matter of high priority) and low priority cases (which have been closed), a case will be allocated to an Investigation Officer who will carry out further investigative work, which will usually include a site visit and inspection.

5.5 It should be noted that during the course of an investigation, dependant on the evidence and details uncovered by the Case Officer, a priority given to a case at the outset, including those considered to be a low priority, may change.

What the Planning Enforcement Team will not, as a matter of course, investigate:

- Cases which are not valid complaints.
- Boundary disputes – these are civil matters not able to be resolved under the planning legislation.
- Dangerous structures, dealt with by Building Control contact: buildingcontrol@dover.gov.uk
- Fly tipping, dealt with by Enviro-crime, contact envcrime@dover.gov.uk
- Noisy neighbours, dealt with by Environmental Protection, contact envhealth@dover.gov.uk
- Development that is permitted by the Town and Country Planning (General Permitted Development) (England) Order 2015 as amended and/or the Town and Country Planning (Use Classes) Order 1987 (as amended)
- Development that is immune from action (eg 4 years in the case of a dwelling house or operational development and 10 years in the case of a use).
- Anonymous complaints, except where unauthorised are works being carried out to a listed building or to a protected tree.

6 What is a Valid Complaint?

6.1 To enable the Investigation team to establish how an alleged breach can be best investigated and what priority should be allocated to it, as much information as possible is required from a complainant at the outset. There are a number of questions and details that are required that will comprise a valid complaint.

A valid complaint is one which includes :

- Full details of the alleged breach
- The full address or geographic grid reference of the site where the breach is taking place
- Details of the amount of time the breach has been or is being carried on for
- Full contact details, including the address and telephone number of the complainant

6.2 In the course of carrying out the initial matrix and desk based assessment, except in the case of allegations of unauthorised works to listed buildings or protected trees, further information may need to be obtained from the complainant, which is why full contact details are necessary. Only valid complaints will be given a priority rating and allocated to an Investigation Officer.

7 Investigation of a Valid Complaint

7.1 Once a case has been validated an acknowledgement letter will be sent. In the case of low priority investigations once the matrix and desk base research has been undertaken a letter will be sent to the complainant explaining why the Council is not going to take the investigation forward and has closed the case. In the case of high and medium priority cases, further investigations will be undertaken (usually involving a site visit). It may be that during the course of investigation, the Investigation Officer will seek further information from the complainant.

7.2 Where a case is complicated an investigation can take some while to conclude. Once a decision has been taken on any course of action, and action is taken, the complainant will be notified of the conclusions of the investigation accordingly.

See Appendix 5 in respect of the general principles behind planning enforcement investigations.

8 Types of Planning Enforcement Action and options.

8.1 Taking enforcement action does not only mean issuing formal notices. Resolution of alleged breaches of planning control can be best achieved through negotiation and discussion to achieve an equitable outcome.

Different types of action include:

Informal Action.

- Verbal advice – where a case is dealt with through discussion with relevant parties. Where the contravener shows a willingness to remedy contraventions which could be of a relatively minor nature.
- Written advice – where a case is dealt with in writing between interested parties. This may follow the above stages, but would be better utilized where the breach being investigated is a little more complex/ serious – but none-the-less where the contravener indicates co-operation to remedy the breach.
- Negotiation – which may involve persuading the contravener to make some changes to a development which could result in the development being permitted development (and thus not requiring permission) or could result in the submission of a regularising application for a suitable development.

And

Formal Action.

- Formal notices – this can mean that notices requiring information relating to the breach are served and/or that a notice is served requiring certain steps to be taken to remedy any breach or to stop a breach from happening or recurring.
- Simple caution – this step taken where an offence has been committed under the legislation, such as the non-compliance with a valid notice or where unauthorised works are being carried out to a listed building or protected tree etc.
- Direct action – this step is considered where a formal notice has been served and has not been complied with, which would remedy the breach to serve the wider public interest, particularly the appearance and amenity of the area.
- Prosecution – this step is taken where it is considered proportionate to the requirements of any notice which has not been complied with and would best serve the wider public interests of the area.
- Injunction – is only sought in respect of the most serious of breaches of planning control.

8.2 Enforcement action will always be proportionate, that is to say commensurate with the type of breach and the level of harm. Where little or no harm is caused

enforcement action will not be pursued. Formal action is usually only taken as a last resort when all other avenues to resolve a breach have been exhausted. Where the balance of public interest lies in pursuing a course of action will vary from case to case.

8.3 Considerations on expediency will include where the development “conflicts” to an unacceptable degree with the Development Plan and government policies and objectives, and / or causes serious harm to public amenity and / or to an interest of acknowledged importance, such as the character or appearance of a conservation area or the setting of a listed building.

8.4 The Planning Enforcement Team works with other internal departments or external agencies to take a pro-active approach to planning enforcement in a conjoined multi-disciplinary approach.

See Appendix 7 for circumstances where enforcement action may have to be taken and Appendix 8 for details of types of actions, formal notices and when they are used.

9 Next steps

9.1 Where formal enforcement action is pursued, and a notice is issued, then in most cases the contravener may appeal to the Planning Inspectorate against the notice. This does not apply to an appeal against a Breach of Condition Notice or a Notice issued under Section 215 of the Act has been served, where appeals are heard by the Courts. Whilst an appeal is under consideration the Council cannot take steps to remedy the breach set out in the notice.

9.2 In an appeal against the issue of a Notice particularly if the appeal is held at a Public Inquiry, the Council will expect that complainants to assist the Council in giving evidence as a witness.

9.3 Once an appeal has been decided upheld or there has been no appeal against the issue of an enforcement notice, the Council can consider taking steps to remedy the breach. Those steps are either to prosecute the contravener for non-compliance, against which ultimately there is a prison sentence and/or to carry out works in default (known as direct action) of all or any of the requirements of the notice. If direct action is taken to remedy the breach the owner will be asked to pay for the costs of the works. Failure to pay results in a charge being placed on the land so that costs can be recouped. These steps are serious measures and due consideration has to be given at each stage as to the most proportionate and effective course of action to remedy the breach.

10 Case Closure and Monitoring the Service

Our investigations are considered to be complete when one of the following points has been reached:

- The investigation identifies that no breach of planning control has occurred.
- An alleged breach of planning has been identified but then resolved by negotiation.
- A planning application or other form of application has been submitted and approved following the investigation.
- A breach of planning control has been identified but it is not considered expedient to take formal enforcement action.
- A formal notice has been complied with.
- A formal notice has been dismissed by the Planning Inspectorate or Secretary of State at appeal.

10.1 The Council has a Planning Enforcement Register available to the public which contains details of Enforcement Notices, Stop Notices, Breach of Condition Notices and Planning Enforcement Orders that have been issued.

10.2 The Council monitors its own performance and for this purpose keeps records of cases received; cases closed through negotiation; where there is no breach; where it is not expedient to take action; notices issued; compliance and appeal decisions, as well as default actions and prosecutions taken. This is subject to regular reporting to and scrutiny of Members.

A flow chart setting out the investigation process is set out at Appendix 9

APPENDICES

1 – Planning Enforcement and the Regulators Code.

Although planning enforcement is a discretionary function, the Council has decided to exercise its function and accordingly does so pursuant to the Town and Country Planning Act 1990 (as amended). The Council acts in a proportionate way in tackling breaches of planning control and will take action only when it is considered expedient to do so. In considering action the Council will have regard, amongst other things to the development plan and all other material considerations when deciding their approach. The Enforcement Plan is a material consideration.

The Councils Planning Enforcement team sits within the Regulatory Services

Department, whose function is underpinned by the Regulators Code (Department for Business Innovation and Skills) April 2014. More details can be found in the code itself through the following link

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf

In accordance with the Regulators code, where there is an offence, firm but fair enforcement of the law will be informed by the principles of proportionality in applying the law and securing compliance; consistency of approach; targeting of enforcement action; transparency about how the Council operates, what those regulated may expect; and accountability for the Councils actions.

2 - Relevant advice, guidance and legislation underpinning this plan:

- The Development Plan
- Town and Country Planning Act 1990 (as amended).
- Town and Country Planning (General Permitted Development)(England) Order 2015 (as amended)
- Planning and Compulsory Purchase Act 2004.
- The National Planning Policy Framework (NPPF) 2018.
- Planning Policy Guidance (PPG)
- The Council's overarching Enforcement Strategy.
- Advice from the Crown Prosecution Service.
- Home Office COPS and Guidance.
- The Regulator's Code 2007.
- Human Rights Act 1998.
- Police and Criminal Evidence Act 1984.
- Criminal Procedure and Investigation Act 1996.
- Regulation of Investigator Powers Act 2000.
- Data Protection Act 1998.
- Freedom of Information Act 2000.
- The Protection of Freedoms Act 2012.

3 - The Matrix assessment and what it looks at in determining priorities for cases

Priority assessments are calculated on receipt of a valid complaint. As is discussed in the main body of the plan, it is necessary for the Council to use its resources responsibly and prudently. Investigation efforts are always directed at the most serious of breaches which would cause most harm. A matrix system has been developed to ensure consistency and fairness in assessing the initial complaint. The matrix assessment will be carried out as part of a desk based exercise and is the first stage of investigating a complaint. The initial desk based exercise may also

include contacting the complainant for further details, researching the legislation and planning history and making any other enquiries to establish facts and evidence.

The initial matrix and desk based research approach is subject to ongoing review and refinement. The Council wants to ensure fairness and consistency in making its initial assessment and takes into account matters such as the level or seriousness of harm caused – such as ongoing noise or pollution, whether the harmful effects are escalating or stable, whether there is serious effects or harm to neighbour or residential amenity, where the development is located ie is it in an Area of Outstanding Natural Beauty or in a Conservation Area and so on. It is therefore necessary that as much detailed information is given in registering a complaint so that a full evaluation can be considered to a range of identified criteria in considering the priority that is given to a complaint.

The matrix assessment scoring approach and desk based research carried out gives an initial indication of the priority that is given to the investigation as well as determining whether a case can be closed.

It may be that in the course of investigations low, medium or high priority cases may have their priority altered.

4 - How to report a suspected breach of planning control

There are several ways to notify the Council of a suspected breach of planning control, which must always be in writing.

The most straightforward way is to visit the Councils web-site and complete the Planning Enforcement Alleged Breach of Planning Control complaints form. This will assist you to give the necessary information to enable a valid case to be created..

The link to this form is as follows: <https://forms.dover.gov.uk/planning-breach>

The Councils Customer Service Team will be able to complete the form for you to forward onto the Planning Enforcement team if you do not have access to the internet. The Council has a walk-in reception where you can speak to a Member of the Customer Service or you can telephone them. Their contact number is 01304 821199

You can also approach your Parish or Town Council Clerk who may be able to complete and forward the form to Planning Enforcement Team on your behalf.

The Planning Enforcement Team has a dedicated e-mail address. If you wish to make a complaint you should follow the link in the e-mail acknowledgment, which will direct you to the complaint form. Although you can register a complaint via this address, it may not be responded to as quickly as the dedicated form. It may also result in a delay as we will have to complete the complaints form on your behalf and if we do not have sufficient information then we will have to get back to you. The email address is planningenforcement@Dover.GOV.UK . You should be aware that

all information and details are treated as confidential during the course of an investigation. However it may be that should matters proceed to Court or Public Inquiry, then your details may be made public.

Dover District Council is a data controller under GDPR, your attention is drawn to our Corporate Privacy Notice at <https://www.dover.gov.uk/privacy>. This explains how we will use and share your personal information and protect your privacy and rights.

5 – Planning Enforcement Investigation principles

The Town and Country Planning system regulates development and use of land, in the public interest.

Although it is not a criminal offence to carry out development without first obtaining any necessary planning permission, such action is discouraged. The fact that enforcement action is discretionary and should be used as a last resort and only when it is expedient, does not condone the wilful breach of planning control.

In considering enforcement action the decisive issue for the local planning authority is whether the breach of planning control would cause serious unacceptable harm to the environment and / or to amenity.

Any enforcement action taken will be commensurate and proportionate to the breach of planning control to which it relates. It is usually inappropriate to take formal action against a trivial or technical breach of planning control which causes no harm or where the development is acceptable on its merits and formal enforcement action would solely be to regularise the development or where the local planning authority consider that an application is the appropriate was forward to regularise a situation where for example, planning conditions may be imposed. The intention of the enforcement function will be to remedy the effects of the breach of planning control, not to punish the person(s)(contravener) carrying out the breach.

The fact that development has been carried out because the contravener believed planning permission was not needed, is not relevant in determining whether or not to take enforcement action. However, the cost to the contravener, in responding to any enforcement action could represent financial and / or human rights burdens and whilst this does not prevent action being taken, this can be a material consideration in deciding how to handle a particular case.

The starting point for any investigation is to consider negotiating a solution and to identify steps, if there are any, which could mitigate any harmful effects. In negotiating a solution and / or considering the expediency of taking enforcement action it will be necessary for the local planning authority to bear in mind the statutory time limits for pursuing enforcement action. Formal action will not be taken where:

- There is a trivial or technical breach of planning control which causes no

material harm or adverse impact on the amenity of the site or surrounding area.

- Development is acceptable on its own planning merits and formal action would be solely taken to regularise the development.
- In any assessment, the Council considers that an application is the most appropriate way forward to regularise the situation for example where planning conditions may need to be imposed.

6 - Circumstances where formal planning enforcement action may have to be taken

Where the Council considers that unauthorised development may be acceptable, or could be made acceptable, a retrospective application will be invited without prejudice to the eventual determination of any such application. Section 73A of the Town and Country Planning Act 1990 allows planning permission to be given for development that has already been carried out.

In some situations, where a contravener asserts that a breach has become lawful (or immune from enforcement action), there is an expectation that the contravener will provide sufficient evidence to the Council to substantiate their claims. This will normally need to be in the form of an application for a Certificate of Existing Lawful Use or Development. A failure to submit an application supported by the necessary evidence establishing that lawful use or where insufficient evidence is available from other sources to corroborate the contravener's assertions it may result in the issue of an Enforcement Notice.

Where retrospective planning or other applications are submitted and invalidated (i.e. where there is a failure to comply with the Councils Validation Checklist, for example), the Council will not consider this sufficient reason to delay further enforcement action. The onus is upon the contravener to submit a valid application within the specified timescales.

Where a planning or other application has been submitted to "regularise" a breach, any formal enforcement action considerations will be made following determination of the application

Some breaches of planning control are unintentional. However, where a breach is identified, it is expected that those responsible will engage positively with the Council to resolve the problem, and show genuine commitment to regularising or remedying the breach. The onus is on the contravener to regularise or remedy breaches of planning control and, where the opportunity to do so is not taken up, then formal enforcement action will be considered. The Council will seek to work with contraveners, where possible, to assist in remedying the breach and advising on what action is required to do so.

A timetable will be given for the contravener to put matters right and if he or she appears unwilling to do so or does not comply with the timetable, formal enforcement action may be taken without further reference to the contravener.

Where breaches of planning control are considered so serious that there should be no delay in taking preventative action, the Council can consider whether to serve Temporary Stop Notices or use its injunctive powers. These tools are however to be used sparingly and only in those cases where there is significant and irreparable harm is likely to be caused.

7 - The requirements of an enforcement notice and compliance

Once a breach of planning control has been determined as unacceptable and it is determined that it is in the public interest to pursue enforcement action, it is necessary to determine an appropriate period in which the contravener has to comply with any necessary steps to alleviate the breach of planning control. In determining periods for compliance, it is appropriate to consider matters such as, the time needed to relocate or re-organise a business, the effect of enforcement action on employment, social costs on the owner or occupier of the land, the time needed to organise and carry out physical works, and any seasonal considerations for example when planting and landscaping works are involved.

When relocation is required, for example for a business use, it is not the Local Planning Authority's responsibility to seek out an alternative site that might be more acceptable in planning terms. However, if a suitable site is known it will be suggested and a time limit for relocation agreed.

When a development provides valuable employment, the Council will advise the owner or occupier how long the activity or operation shall be allowed to continue or to be reduced to an acceptable level of intensity. An enforcement notice will usually be issued which will allow for a realistic period for compliance for the unauthorised activity or operation to cease, or its scale to be reduced to an acceptable level.

Enforcement action against unlawful and unacceptable development may result in social costs such as homelessness to the occupants. Whilst not condoning any unlawful use of land social costs may be taken into account in determining periods of compliance.

When an enforcement notice has been served which provides a reasonable time for compliance but, despite serious and evidenced efforts, the owner or occupier has not fully complied, the Council can consider whether either:

- The requirements of the notice should be relaxed to provide additional time to enable compliance; this would need to be weighed against the degree of harm caused by the unauthorised development.
- The steps that have been taken to comply are sufficient to have remedied the

harm to an acceptable degree; taking account of whether insisting on full compliance is practical and proportionate to the benefit to be gained.

If neither of the above approaches is considered appropriate the Council would take action to ensure full compliance with the Notice.

When enforcement action has been taken but compliance not achieved within the agreed period and under enforcement is not appropriate, the Council has several options, which can vary depending on the type of Notice served. The Council can bring prosecution proceedings through the Courts, seek the assistance of the Courts in obtaining an injunction or exercise default powers and use its approved contractors and agents to carry out any or all of the steps required.

Each mechanism has advantage and disadvantages. Successful prosecution proceedings will punish the contravener but will not in itself bring to an end a breach of planning control, although it may deter further contraventions. Default action is effective especially in removing structures and the total cost is normally recoverable in time. However, the primary consideration in determining the manner in which compliance with the requirements of an Enforcement Notice can be achieved will be ensuring that the harm being caused is sufficiently remedied and proper planning of the area is restored as soon as possible.

8 -Types of Formal Notices and Enforcement Tools

The following table gives a summarised version of some of the more common tools and notices are available to the planning enforcement service for investigating and resolving alleged breaches of planning control. The table is not exhaustive and more comprehensive details can be found in the PPG.

No breach Take no action or no formal action	Appropriate when it is concluded either that there is no breach of planning control or that there is a breach but its impacts are not sufficient to make it expedient for the Council to take enforcement action or where the contravener takes immediate action to remedy the breach.
Ongoing Review	Take no immediate action, but monitor the position in case circumstances change. Such cases might include minor breaches causing no significant harm, those which are unlikely to create a precedent or which may be remedied of their own accord.
Allow Time to Remedy	Time may be given to remedy the breach or justify its retention. Such cases may include situations where there is no demonstrable harm and is not so serious as to warrant immediate action or where it may be justifiable by some other benefit. However, because formal enforcement action takes some time in any event, any informal opportunity to resolve the breach will not be allowed to delay formal action.
Submission of retrospective planning application	The Council can decide to invite a retrospective planning application for development where it considers this is the best way to deal with a breach of planning control. For example where it considers a development may be made acceptable subject to the imposition of planning conditions. However, in inviting an application it cannot be assumed that planning permission will be granted as any planning application will be decided in the normal way, taking into account all material planning and other considerations.
Planning Contravention Notice	This allows the Council to require information they need for enforcement investigation purposes with regards to any operation or use being carried out on the land as is used to invite the contravener to respond constructively to the Council about how any alleged breach of planning control could be remedied. This is a discretionary procedure and the Council does not need to serve a planning contravention notice before considering expediency of pursuing action. To provide misleading or false information or failure to return a notice within 21 days is an offence and could render the recipient liable to prosecution.

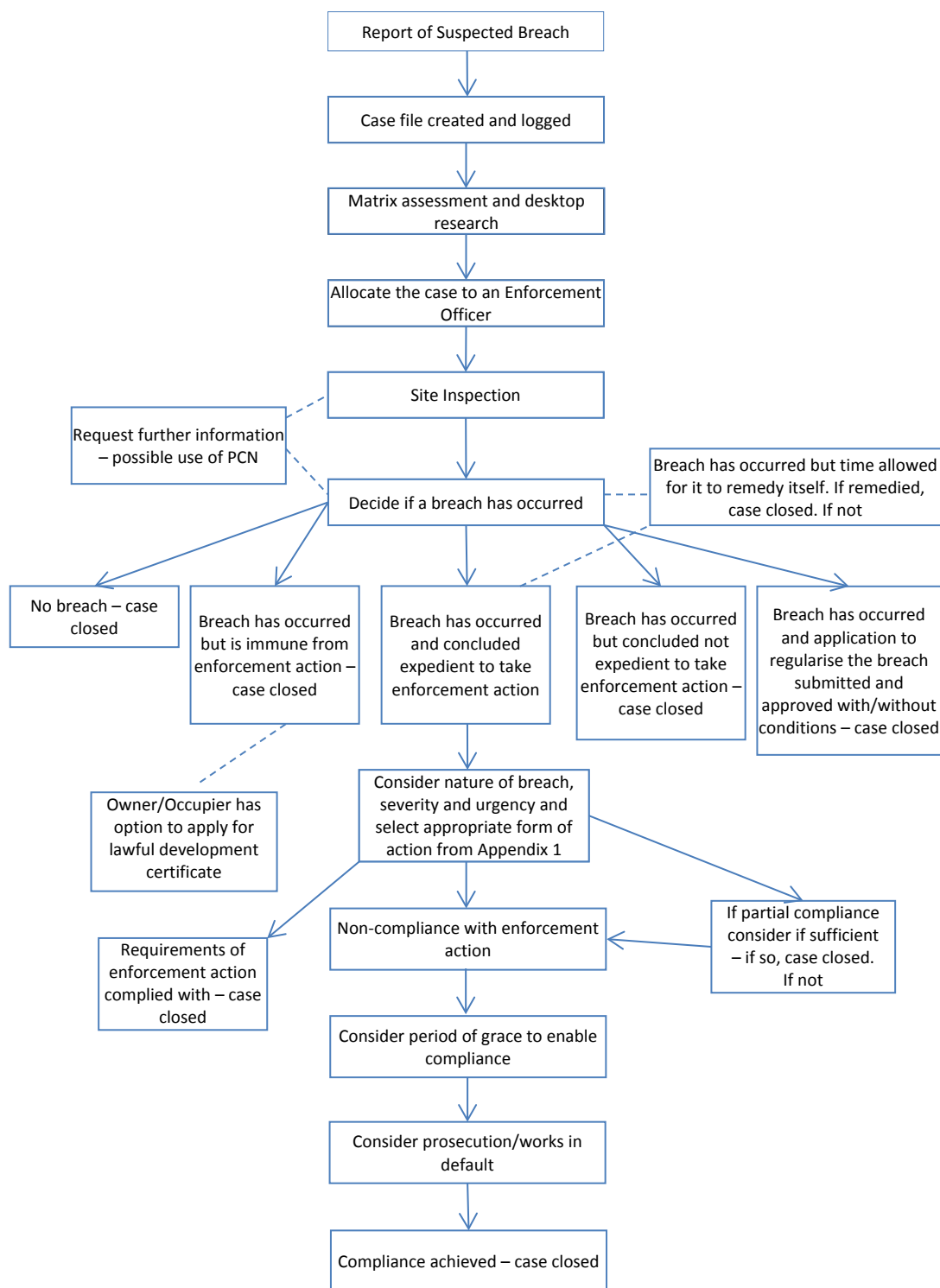
<p>Enforcement Notice and Enforcement Notice against breach of conditions</p>	<p>An enforcement notice can be issued where it is considered expedient to do so, against all or only part of a development that is held to be unacceptable (under enforcement). In such circumstances the remaining building or use will be deemed to have planning permission when the enforcement notice has been complied with sufficiently. There is a right of appeal to the Secretary of State against the notice, which can be upheld, quashed or amended. Non-compliance with the requirements of an enforcement notice is an offence. The penalty for non-compliance is up to £20,000 but there is no upper limit in the Crown Court.</p>
<p>Breach of Condition Notice</p>	<p>This can be used in addition or as an alternative to an enforcement notice where the unauthorised activity is in breach of a condition attached to a planning permission. As there is no right of appeal against a BCN and as it can only be used to secure complete compliance with a planning condition, “under-enforcement” is not an option. Also, as there are no powers for the Council to enter the land and carry out works, prosecution is the only means of enforcement. Therefore the use of a BCN may not always be appropriate. The maximum penalty on conviction is level 3.</p>
<p>Planning Enforcement Order</p>	<p>This enables the Council to take action against development that has been deliberately concealed, notwithstanding that the normal time limits (ie 4 or 10 years) may have expired or within the time limits, within 6 months of the apparent breach being drawn to the Councils attention. The process is pursued through the Courts and the Council would be required to give evidence and prove that concealment was deliberate for an Order to be made. If the Order is made, then this gives the Council time to take enforcement action, if considered expedient. There is a right of appeal against an Order.</p>
<p>Listed Building Enforcement Notices</p>	<p>A Listed Building Enforcement Notice can be served against unauthorised works that damage the character of a listed building. There is no four or ten year rule limiting time in which such an enforcement notice can be served.</p>

Urgent Work Notice	This enables the Council to execute any works which appear to them to be urgently necessary for the preservation of a listed building.
Listed Building Repairs Notice	This enables the Council to serve a notice upon the owner of a listed building specifying the works it considers reasonably necessary for the proper preservation of the building.
Listed Building and Conservation Area demolition Prosecution	A person who is found to carry out unauthorised works that affect the special architectural character or historic interest of a statutorily listed building or carries out unauthorized demolition in a Conservation Area without planning permission, is committing an offence and can be prosecuted, and imprisoned for a term not exceeding 6 months, or fined up to £20,000 or, on conviction by indictment, to an unlimited fine
Temporary Stop Notice	<p>A temporary stop notice can be issued to seek immediate cessation of the breach of control. Unlike a Stop Notice, it does not require an enforcement notice to be served first. It is only valid for a period of 28 days, by which time the Local Planning Authority can decide whether or not to serve an enforcement notice. There is no right of appeal against a Temporary Stop Notice and it is an offence to contravene such a Notice, with the maximum fine, on summary conviction, of up to £20,000.</p> <p>A Temporary Stop Notice should only be used where the Council is satisfied that there has been a breach of planning control and that the breach has to be stopped immediately. It can only be used where it is essential to safeguard amenity or public safety in the neighbourhood or to prevent serious or irreversible harm to the environment in the surrounding area.</p> <p>Compensation may be payable if the LPA later issues a lawful development certificate.</p>

Stop Notice	<p>The Council can issue a Stop Notice where a breach of planning control alleged in an Enforcement Notice is causing serious or irreparable harm ahead of the deadline in the related enforcement notice. It can only be served if an enforcement notice has first been served. There is no right of appeal against a Stop Notice and it is an offence to contravene such a Notice, with the maximum fine, on summary conviction, of up to £20,000.</p> <p>However, a Stop Notice should only be served when the effects of the unauthorised activity are sufficiently serious and it is considered essential to safeguard amenity or public safety in the neighbourhood or to prevent serious or irreversible harm to the environment in the surrounding area. Accordingly, a decision to issue a Stop Notice must be fully justified as there are consequences for the Council if the related Enforcement Notice is quashed or varied on appeal, or the Stop Notice is withdrawn the Council may be liable to pay compensation for any financial loss resulting from the issuing of the Stop Notice.</p>
Court Injunction	<p>This may be taken in the most serious cases where irreparable harm is being incurred and where other actions have failed.</p> <p>There are significant costs involved in bringing such action and it can only be justified in extreme cases. Defendants risk imprisonment if they do not comply with a court order.</p>
Right of Entry	<p>Entry onto land can be authorized by Councils and Justices of the Peace for enforcement purposes. It is limited as to what is considered as essential in the particular circumstances for effective enforcement of planning control. It is an offence to willfully obstruct an authorized person acting in exercise of a right of entry.</p>
Direct Action	<p>The Council may enter land to take the necessary steps to secure compliance when an Enforcement Notice or s215 Notice has not been complied with. This may have to be at the Council's cost if the contravener does not pay for the remedial works to be undertaken. However a charge can be placed on the land and costs are recoverable from the landowner when it is sold.</p>

Section 215 Notice	Such a Notice requires steps to be taken to remedy the condition of land or buildings that is considered to be adversely affecting the amenity of the surrounding area. Non-compliance is subject to a maximum penalty of level 3. Non-compliance after conviction attracts further fines.
Section 225A Notice	Such a Notice requires the removal of a display structure in respect of unauthorised advertisements which are considered to adversely affect amenity or public safety. There is a right of appeal to the Magistrates Court. The display of an unauthorized advertisement is an offence and the contravener can be prosecuted in the Magistrates Court.
Discontinuance Notice	Such a Notice requires the removal of an advertisement displayed with the benefit of 'deemed advertisement consent', i.e. an advertisement that would not normally require consent from the Council to be displayed.
Tree Preservation Orders/Protected Trees	It is an offence not to comply with a tree preservation order and or cut down or lop trees in a conservation area without the necessary consent. The Council will consider the proportionality of proceeding straight to prosecution through the Magistrates court in respect of such cases.

9- The planning enforcement process flow chart.



Subject:	STATEMENT OF COMMUNITY INVOLVEMENT
Meeting and Date:	Cabinet – 10 September 2018
Report of:	Nadeem Aziz, Chief Executive
Portfolio Holder:	Councillor James Back, Portfolio Holder for Built Environment
Decision Type:	Key Decision
Classification:	Unrestricted

Purpose of the report: Cabinet is requested to consider representations received during the consultation on the draft Statement of Community Involvement. A number of minor changes are proposed, in response to representations received.

Recommendation:

- (i) To approve the proposed responses to the representations received, as shown in Appendix 1.
- (ii) To approve and adopt the Statement of Community Involvement attached at Appendix 2.

1. Summary

1.1 The Council's Statement of Community Involvement (SCI) sets out how, when and where the Council will consult with local and statutory stakeholders both during production of development plan documents, and within the development management function. Cabinet approved public consultation upon a draft Statement of Community Involvement on 14th May 2018, which was duly undertaken. Appendix 1 to this report provides details of the representations received and proposed responses. Appendix 2 comprises a final draft of the SCI incorporating amendments arising from the consultation.

2. Introduction and Background

2.1 The requirement to produce a SCI is under Section 18 of the Planning and Compulsory Purchase Act 2004 (PCPA 2004). When a Development Plan Document is subjected to examination in public, the Inspector must be satisfied that it has been prepared in compliance with the Council's SCI and that the SCI itself meets with the requirements set out in the regulations.

2.2 The Neighbourhood Planning Act 2017¹ introduced a number of additional requirements for SCIs, the most significant of which was to set out the Council's policies for giving advice or assistance in relation to Neighbourhood Planning. A replacement SCI was drafted for consultation, which takes account of these changes by updating the existing SCI.

2.3 The public consultation on the draft SCI ran for six weeks from Thursday, 24th May until midnight on Thursday, 5th July 2018. The consultation was advertised in local newspapers and via social media and those signed up to 'Keep Me Posted'. In

¹ Section 6 and Section 13 Neighbourhood Planning Act 2017 coming into force 31st July (The Neighbourhood Planning Act 2017 (Commencement No. 3) Regulations 2018)

addition, a total of 144 consultees were invited to comment. This included the local plan consultation list, parish and town councils, neighbouring parish councils, local community groups and people who have registered their interest in planning consultations. The draft document was available from the Council's website, and paper copies were available at libraries within the District.

- 2.4 In response, the Council received 13 representations from various organisations and individuals. It should be noted that the representations received predominantly related to the existing SCI text and not the changes necessary as a result of the Neighbourhood Planning Act 2017. It is nonetheless clearly appropriate to consider all responses and whether they should be incorporated into the replacement SCI.
- 2.5 The Council's response to each representation received is set out in the analysis table at Appendix 1. Consideration should be given to all the representations in the analysis table, and to the minor amendments and clarifications that are proposed.
- 2.6 The main amendments comprise:
- a) Additional text encouraging applicants to discuss their proposals with statutory and non-statutory consultees at an early stage.
 - b) Changing the current minimum 4 week consultation period for Supplementary Planning Documents (SPD) to a standard 6 week period. This is agreed as it would bring consultations on SPDs in line with other Local Plan consultation events.
 - c) Additional clarity that infrastructure service providers such as Kent County Council are consulted with as part of the planning application process.
- 2.7 A final draft of the Statement of Community Involvement is attached at Appendix 2 incorporating all amendments, factual changes or clarifications identified during this updating process.

3. Identification of Options

- 3.1 Option one: To approve and adopt the final draft Statement of Community Involvement attached at Appendix 2, incorporating amendments that respond to representations received during the public consultation.
- 3.2 Option two: Not to approve the draft Statement of Community Involvement attached at Appendix one for consultation.

4. Evaluation of Options

- 4.1 Option one is preferable as this would allow the Council to adopt an up-to-date Statement of Community Involvement that accords with current guidance and legislation.
- 4.2 If option two is selected, the Council will not have an up-to-date Statement of Community Involvement. This would result in a risk of any future Development Plan Document being found 'unsound' by the Inspector during examination in public.

5. Resource Implications

5.1 There will be no direct financial implications because the report seeks to formalise the approach that is currently used to consult.

6. **Corporate Implications**

6.1 Comment from the Section 151 Officer: 'Finance has been consulted and has nothing further to add. (SB)'

6.2 Comment from the Planning Solicitor: 'The Solicitor to the Council has been consulted in the preparation of this report and has no further comments to make.'

6.3 Comment from the Equalities Officer: 'This report does not specifically highlight any equality implications, however in discharging their duties members are required to comply with the public sector equality duty as set out in section 149 of the Equality Act 2010 <http://www.legislation.gov.uk/ukpga/2010/15> '

7. **Appendices**

Appendix One – Consultation Analysis Table

Appendix Two – Proposed final draft of 'Statement of Community Involvement' (for adoption)

8. **Background Papers**

Statement of Community Involvement - Cabinet report dated 14th May 2017

Dover District Council Statement of Community Involvement - Adopted April 2016

Contact Officer: Richard Thompson ext 42431

Appendix 1 - Consultation Analysis Table

ID	Organisation Details	Part of the document	Detailed comment here	Council's Response
1	Theatres Trust	p12, 1st paragraph	We would recommend adding reference to consulting with "appropriate statutory and non-statutory consultees" (suggested amendment set out below) for greater clarity and to emphasise the value and importance of doing so to minimise the risk of objection or amendment at a later stage. We strongly encourage applicants to discuss their proposals with the local community, APPROPRIATE STATUTORY AND NON-STATUTORY CONSULTEES, the relevant town or parish council and their ward councillor at an early stage. The greater the likely impact of a proposed development, the greater the need for community involvement.	Agreed - the wording of the first paragraph under "Preparing and Publicising Planning Applications" will be changed as suggested to include ' appropriate statutory and non-statutory consultees '.
2	Clerk Ash Parish Council	Page 11 Stage 2 para 3	"We will consult for at least 4 weeks" - while it indicates that this is the minimum, this is too short a time period for the level of detail that will be needed to be considered especially for the general public. The current timescale referred to on Page 7 The Development Plan Timeline is July 2019 for this consultation which possibly will cover the August summer holiday period. A longer minimum period of at least 6 weeks may give all more opportunity to be involved in this consultation.	Noted - the current minimum 4 week consultation period for Supplementary Planning Documents (SPD) reflects what is required by the regulations. There is however no objection to extending this to a 6 week consultation period. This would bring consultations on SPDs in line with other Local Plan consultation events. It would not be appropriate to extend beyond this 6 week period as this already represents an additional 2 weeks on the statutory requirement. The wording of the second paragraph under 'What we will do and who will we consult' will be changed as follows ' We will consult for at least 6 weeks..... ' The Draft Local Plan Consultation event of July 2019 referred to will be a minimum of 6 weeks.
3	Local Resident	Whole Document	No comments to make.	Noted

Appendix 1 - Consultation Analysis Table

ID	Organisation Details	Part of the document	Detailed comment here	Council's Response
4	Head of Strategy and Planning NHS Ashford CCG and NHS Canterbury and Coastal CCG	Whole Document	NHS Ashford and Canterbury and Coastal are satisfied with the document as drafted.	Noted
5	Southern Water	Whole Document	Southern Water have reviewed this document and have no comments to make on this occasion.	Noted
6	Historic England	Whole Document	The consultation process detailed in the SCI should be adequate in meeting the requirements of the Local Development Regulations 2004 It will be important to ensure that stakeholder organisations with interests and responsibilities in the historic environment, at national and local levels, are fully involved throughout the consultation process. To this end, it is important to consult with both the Council's own conservation officer or team and local amenity societies.	Noted - The Heritage Team are consulted on relevant applications. The case officer will take a view as to whether it is appropriate to consult relevant societies on a case by case basis.
7	Area 4 Spatial Planning Team Highways England	Whole Document	Having assessed the modified document and taken in to account any other material considerations Highways England have no comments on the revised Statement.	Noted
8	Kent County Council (Environment, Planning & Enforcement)	Page 3	KCC recommends a hyperlink is included within the document to allow for easy access to the Dover District Compact	Agreed - the following link to be provided within first asterix https://www.dover.gov.uk/Community/Getting-Involved-In-Your-Community/Compact/Dover-District-Compact.aspx
9	Kent County Council (Environment, Planning & Enforcement)	Page 5	KCC recommends the following amendment for clarity: "The Council also has a legal duty to consult residents and businesses when appropriate. In addition, legislation* sets out who must be consulted at set stages of the document preparation."	Noted – word “prescribed” changed to “set” so that the sentence now reads “ legislation*sets out who must be consulted at prescribed stages of the document preparation. ”

Appendix 1 - Consultation Analysis Table

ID	Organisation Details	Part of the document	Detailed comment here	Council's Response
10	Kent County Council (Environment, Planning & Enforcement)	Page 13	The SCI could be strengthened by providing further information about how Dover District Council (DDC) will work with service providers, including KCC, to determine the impact of development.	Noted - Dover District Council recognises the importance of dialogue with all infrastructure service providers including Kent County Council. In addition to statutory consultation requirements, the case officer will take a view as to whether it is appropriate to consult relevant societies on a case by case basis. The current text is purposely open ended to allow for this flexibility. However, additional clarity can be provided by changing 'consult statutory and non-statutory consultees' to Consult statutory consultees, non-statutory consultees and infrastructure service providers as appropriate within the 'What we will do' column.
11	Kent County Council (Environment, Planning & Enforcement)	Page 5	KCC, as Lead Local Flood Authority, requests to be listed as a statutory consultee to ensure sustainable development is delivered given the prevalence of flood risk and surface water management.	Noted - Kent County Council are already listed as a Statutory Consultee. It is not however considered necessary to individually list each of KCC's statutory functions for which we seek plan making input.
12	Kent County Council (Environment, Planning & Enforcement)	Whole Document	KCC considers that the document covers all relevant aspects relevant to a SCI and that it is written and laid out in a clear and accessible style.	Noted
13	Natural England	Whole Document	Natural England are supportive of the principle of meaningful and early engagement of the general community, community organisations and statutory bodies in local planning matters, both in terms of shaping policy and participating in the process of determining planning applications.	Noted



HOW TO BECOME INVOLVED IN THE PLANNING PROCESS

STATEMENT OF COMMUNITY INVOLVEMENT
2018





HOW TO BECOME INVOLVED IN THE PLANNING PROCESS

STATEMENT OF COMMUNITY INVOLVEMENT

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1. Introduction
2. General principles for community involvement
3. Community involvement in Plan Making
4. Who we will involve in Plan Making
5. How we will involve the community in Plan Making
6. Planning Applications
7. Is it working?
8. Glossary

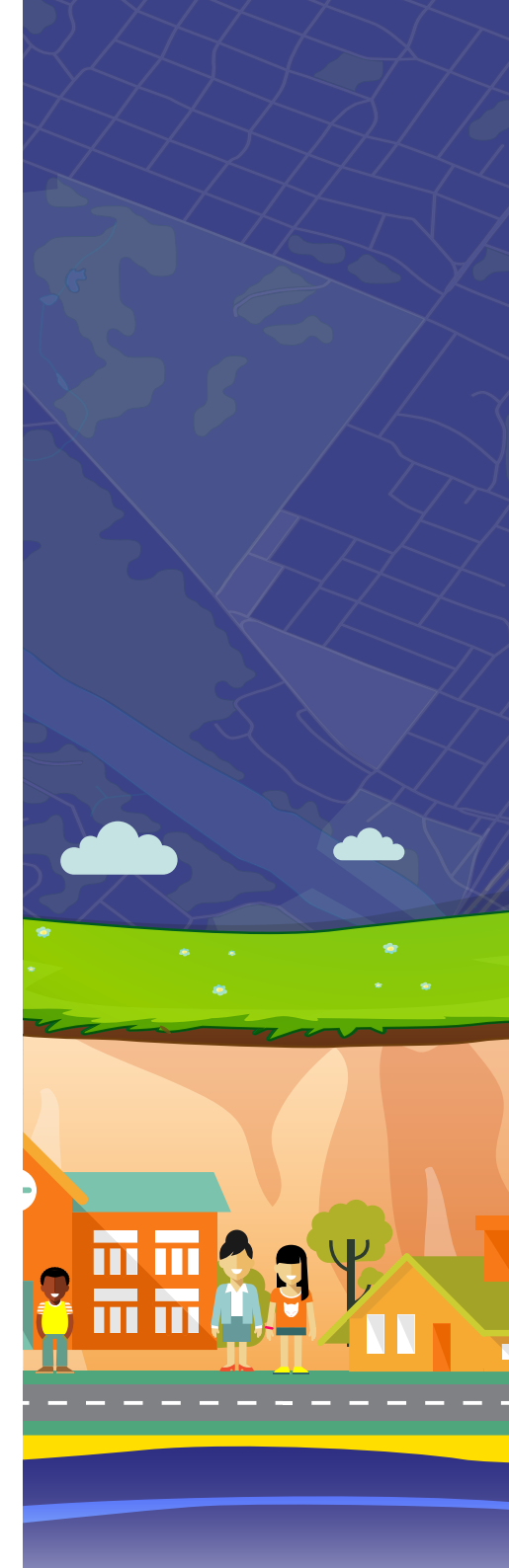
INTRODUCTION

Everyone who lives, works, runs businesses and studies in a place is affected by the planning system. The Council is committed to involving local communities and other stakeholders in plan-making, so they can help shape the environment in our district.

This document explains how to become involved in decisions about plan-making and planning applications. It updates our previous Statement of Community Involvement, which was adopted in 2016.

For information about Local Development Documents, and to register for email alerts of consultations, contact Regeneration Delivery:
regenerationdelivery@dover.gov.uk
01304 872477
Or visit the Council offices.

For information about planning applications contact Development Management:
developmentcontrol@dover.gov.uk
01304 821199 Or visit the Council offices



GENERAL PRINCIPLES FOR COMMUNITY INVOLVEMENT

By **'involvement'** we mean any interaction between our planning team and the community, which can occur on a number of different levels:

Participation – active involvement in identifying needs and priorities, such as workshops.

Consultation – consulting you on your views, such as through on-line consultation processes and surveys.

Information – providing data, such as advertisements in newspapers and publishing reports.

We will apply the following general principles to community involvement in planning. These are very similar to consultation commitments set out within The Dover District Compact* Other organisations that involve the community in planning processes could also use these principles. For example, town and parish councils consult when producing Neighbourhood Plans and developers provide a statement of community involvement with major planning applications.

**The Compact established an approach for the way public sector organisations and voluntary or community organisations could work together to benefit the community in the Dover District. <https://www.dover.gov.uk/Community/Getting-Involved-In-Your-Community/Compact/Dover-District-Compact.aspx>*

*** <http://www.dover.gov.uk/Corporate-Information/Equality-and-Access-to-Services.aspx>*

****Details of the Council's Data Protection Policy and its approach to Freedom of Information can be inspected at www.dover.gov.uk*

We will:

- Seek views as early as possible
- Ensure involvement is open to all
- Take into account our duties under the Equality Act 2010**
- Choose consultation processes that are proportionate in type and scale to the potential impacts of the proposed plan
- Target consultation to include people whom we consider would be most affected by the particular proposals or plans, and where possible we will include known interest groups
- Provide sufficient information for people to comment effectively
- Create concise consultation documents, without understating the complexities of any issues or decisions
- Avoid unnecessary jargon
- State clearly how to respond and by when
- Aim to make all representations publicly available
- Tell people who participate in the consultation how to access the results
- Ensure that information received through consultation processes complies with all Data Protection legislation and Freedom of Information requirements***

COMMUNITY INVOLVEMENT IN PLAN MAKING

A wide range of locally prepared planning documents are considered when planning decisions are made. Opportunities for community involvement in preparing these documents vary, depending on their status and purpose. Levels of community involvement in the main types of document are as follows;

Type of Document	Produced by	Purpose	Level of Community Involvement	
THE DEVELOPMENT PLAN	The Local Plan	Dover District Council	A suite of planning documents that sets out a vision and framework for the future development of a district over 20 year period	Participation, Information and Consultation
	Kent Minerals and Waste Local plan	Kent County Council		Participation, Information and Consultation
	Supplementary Planning Documents	Dover District Council		Participation, Information and Consultation
	Neighbourhood Plans	Town and Parish Councils		Participation, Information and Consultation
Strategies and other supporting documents	Dover District Council	Set out objectives and implementation scheme to achieve planning objectives	Participation (usually), Information and Consultation	
Statement of Community Involvement	Dover District Council	Defines the Council's approach to consultation	Information and Consultation	
Community Infrastructure Levy	Dover District Council	Sets a charge on new development to help fund infrastructure	Information and Consultation	
Local Development Scheme	Dover District Council	Programme for preparing new development plan documents	Information	
Authority Monitoring Report	Dover District Council	Reports progress on implementing the adopted Local Plan	Information	

SUSTAINABILITY APPRAISAL

Local Plans and some Supplementary Planning Documents are subject to Sustainability Appraisal during their development. SAs are subject to consultation.

WHO WE WILL INVOLVE IN PLAN MAKING

The National Planning Policy Framework emphasises the need to involve all sections of the community in plan-making. The Council also has a legal duty to consult residents and businesses when appropriate. In addition, legislation* sets out who must be consulted at **set** stages of the document preparation.

Many individuals and organisations contribute to the preparation of planning documents. Evidence base documents necessary for plan making are developed with engagement from a range of stakeholders and communities with local knowledge, views, and expertise.

The appropriate level of engagement will continue to be assessed on a case by case basis determined by the nature and requirements of the particular evidence base study.

For clarity the Council has divided consultees into four groups. This may alter over time due to changes in legislation or re-organisations of public bodies, so the lists are reviewed regularly.

STATUTORY CONSULTEES – SPECIFIC BODIES

- Local planning authorities that adjoin the District
- Kent County Council
- Parish Councils within and adjoining the District
- A local policing body
- The Coal Authority
- Environment Agency
- Historic England
- Natural England
- The Marine Management Organisation
- The Port Authority
- Network Rail Infrastructure Limited
- Highways England
- Mobile Phone Operators Association

- Mobile Phone Operators with apparatus situated in any part of the District
- Primary Care Trust
- Utilities and service providers; and
- Homes England.

**Town and Country Planning (Local Planning) (England) Regulations 2012)*

STATUTORY CONSULTEES – GENERAL BODIES

- Voluntary bodies, some or all of whose activities benefits any part of the area
- Bodies which represent the interest of:
 - Different ethnic or national groups in the area
 - Different religious groups in the area
 - Disabled people in the area; and
 - Persons carrying on businesses in the area

OTHER CONSULTATION BODIES AND ORGANISATIONS

- Environmental groups
- Groups representing users, and the providers, of leisure, sport and recreation
- Health, education, social service and community based service providers
- Civic societies, cultural, historical and archaeological groups or bodies
- Citizens' / district / tenants panels
- Associations of local residents and communities
- Registered social landlords
- House builders and developers
- Landowners and land agents
- Public transport users and providers
- Groups representing retired and elderly persons
- Groups representing young people and
- The local strategic partnership.

THE WIDER COMMUNITY

Members of the public who would like to be notified about planning consultations and the progress of documents can add their details to the Council's database of consultees. These people are alerted by email when opportunities arise to make representations on proposed planning documents. The list is not fixed and anyone can ask for their details to be added by emailing regenerationdelivery@dover.gov.uk or telephoning 01304 872477. Others who no longer wish to be involved will be removed from the list on request.

Members of the public can also be kept informed of any plan making updates, including new consultation events, by subscribing to Planning Policy updates through Keep Me Posted.

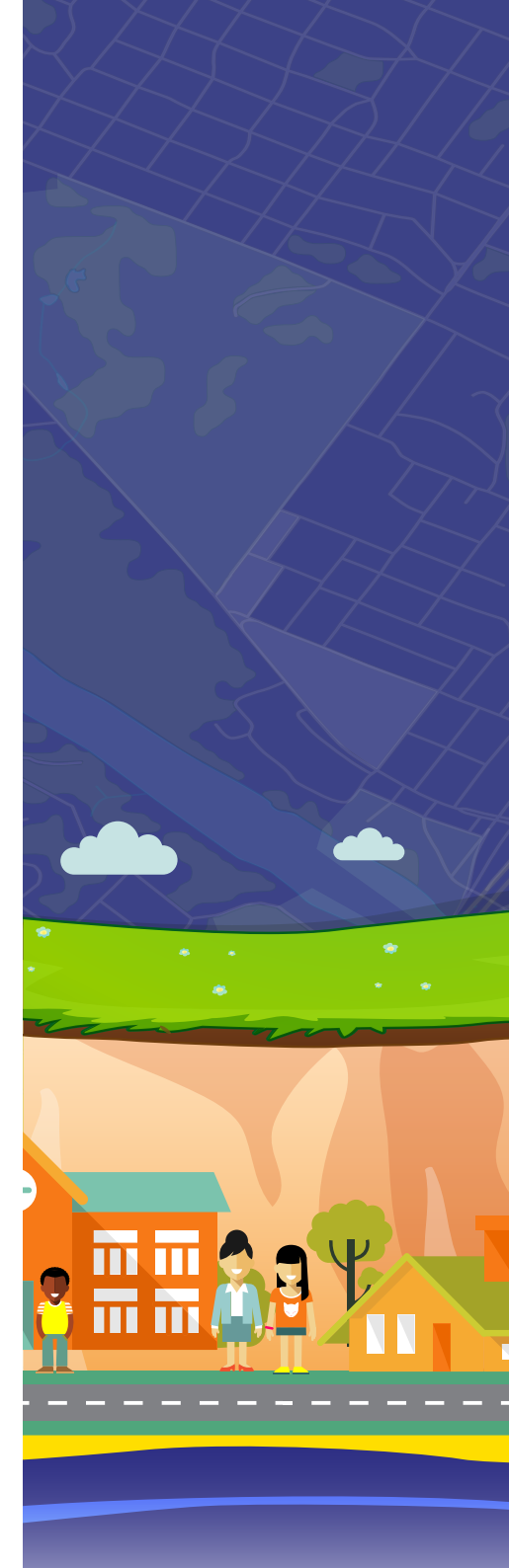


DUTY TO CO-OPERATE

Dover District Council is required to work with neighbouring authorities and other public bodies involved in planning when it comes to tackling issues at a larger than local scale*. The bodies that we are bound to work together with by the duty include:

- Local planning authorities
- Kent County Council
- The Kent Local Enterprise Partnership
- The Environment Agency
- Historic England
- Highways England
- Natural England
- The Office of Rail Regulation
- The Primary Care Trusts
- The Civil Aviation Authority
- The Port Authority
- Homes England and
- In addition, the National Planning Policy Framework requires local planning authorities to work collaboratively with Local Nature Partnerships.

**Section 110 of the Localism Act 2011 and guidance in the National Planning Policy Framework*



HOW WE WILL INVOLVE THE COMMUNITY IN PLAN MAKING

THE DEVELOPMENT PLAN

THE DEVELOPMENT PLAN TIMELINE*

Prepare the Local Plan Evidence Base

Current Timescale: Ongoing now

Publish Draft Local Plan Consultation

(Regulation 18)

This stage will allow stakeholders the opportunity to comment on draft Strategic Policies and Allocations, Local Policies and Development Management Policies.

Current Timescale: July 2019

Publish Submission Local Plan Draft for Public Consultation

(Regulation 19)

After considering stakeholder comments we will publish a final draft document for consultaion. Comments made at this stage will be considered at the Examination.

Current Timescale: February 2020

Submit Local Plan for Examination

Current Timescale: August 2020

Examination in Public

Current Timescale: November 2020

Adoption of Local Plan

Once it is confirmed the plan is sound, Cabinet recommends to full Council to formally adopt the Local Plan

Current Timescale: February 2021

* Note that this timescale is correct as May 2018. This is however updated on a regular basis within the Local Development Scheme available on the Council's website at <https://www.dover.gov.uk/Planning/Planning-Policy-and-Regeneration/New-District-Local-Plan/Local-Development-Scheme.aspx>



THE DEVELOPMENT PLAN

STAGE 1 - PREPARE DEVELOPMENT PLAN

At the initial stages of producing a plan it is important that the community has an opportunity to identify local issues, influence the options for future development and examine the evidence.

WHAT WILL WE DO

- As a minimum, we will ensure that we comply with the relevant current planning regulations
- Consult more widely where it is relevant and appropriate to do so
- Advertise any consultation and make it clear where material can be viewed by the community
- When possible, summary documents, maps and diagrams explaining the key issues and proposals will be published
- Maintain and add people to our planning database of consultees at any time, having regard to Data Protection Requirements
- Comments received at this stage will be acknowledged and taken into account, together with any available technical evidence as well as national policies and guidance.

WHO WILL WE CONSULT

- We will notify specific consultation bodies that may have an interest in the document.

HOW WILL WE CONSULT

- We will engage with general consultation bodies, and other consultation bodies as appropriate
- We will consult with the wider community at least once during this stage in the production of the document
- We will publish consultation documents on-line and the preferred route for comments is via the website, because this helps make the process as efficient as possible
- We will make all the comments received publicly available

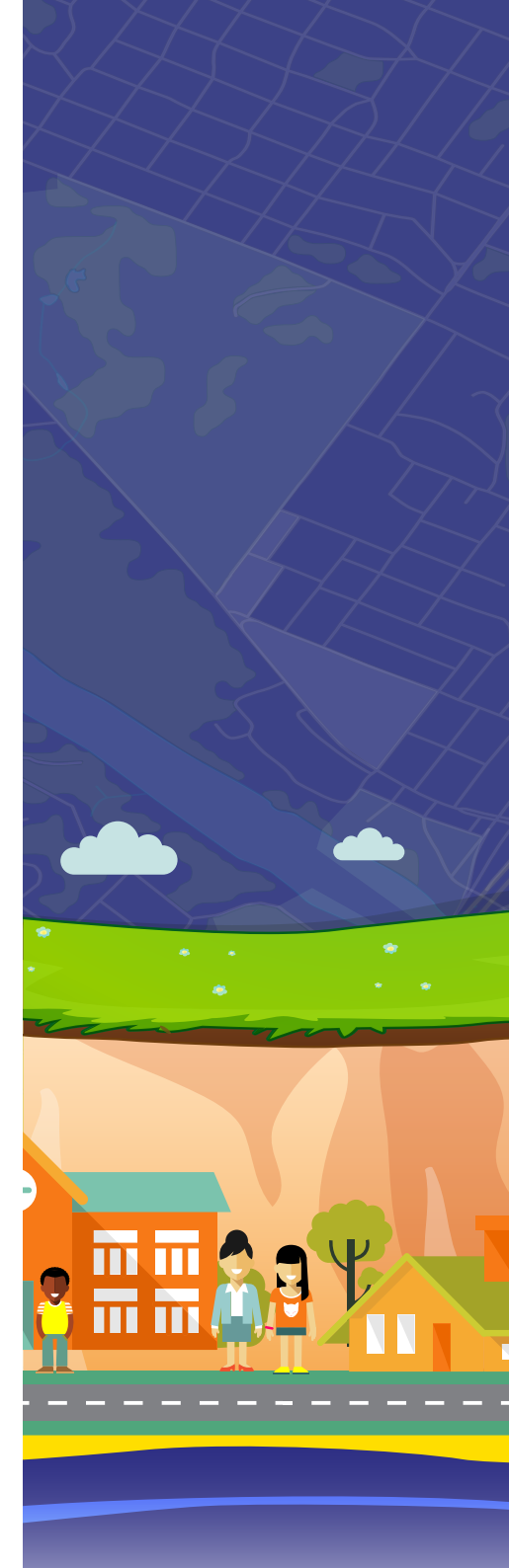
- The council will also consider using one or more of the following methods:
 - Correspondence through letters or email
 - Workshops or focus groups
 - Presentations at community events
 - Joint consultations
 - Drop-in events, displays or exhibitions
 - Meetings (one to one or group)
 - Make plans available on our website and at public inspection points
 - Targeted measures for hard to reach groups.

STAGE 2 - PUBLISH PROPOSED SUBMISSION

The council will prepare and consult on the final draft of the plan before it is submitted to the Secretary of State for examination. Representations submitted at this stage are forwarded to the Planning Inspector.

WHAT WILL WE DO

- As a minimum, the council will comply with the relevant planning regulations
- We will consult on the plan for at least six weeks
- The submission documents and other relevant documents must be available for inspection on the website and at the council's office and other public inspection points
- When possible, summary documents, maps and diagrams explaining the key issues and proposals will be published
- We will notify consultees
- The council will publicise where and when the documents may be inspected
- Make printed copies of the plan available at a reasonable charge if requested
- Where appropriate, the council will make changes to the document before it is submitted to the Secretary of State
- All representations received at this stage will be forwarded to the Secretary of State.



WHO WILL WE CONSULT

- We will notify those specific, general and other Consultation bodies that were invited to make representations at an earlier stage
- The wider community (as appropriate to the document) will also be consulted.

HOW WILL WE CONSULT

- We will contact everyone on our planning consultation database by letter or email and where appropriate we will use targeted measures for hard to reach groups
- To explain the preferred plan we will consider using one or more of the following methods: events, displays, exhibitions or meetings.

STAGE 3 - EXAMINATION

The council is required to submit the plan and supporting information for public examination. The Inspector in charge of the examination will take into account written comments on the plan and, if invited by the Inspector, people can also appear at the examination to speak in support of, or against, the plan. The Inspector will consider whether the Development Plan Document has complied with the requirements of this Statement of Community Involvement.

WHAT WILL WE DO

- We will comply with all the relevant planning regulations for the submission and examination of the plan
- We will ensure that all the relevant submission documents are available for inspection on our website and at the council's office and other inspection points
- We will publish full details of the submission
- We will appoint a Programme Officer to assist the Inspector with the examination
- The Programme Officer will publish full details of the examination of the plan on the website.

WHO WILL WE NOTIFY

- We will notify all those specific, general consultation bodies, and other bodies who have previously been invited to make representations on the plan, about the submission of the plan to the Secretary of State
- We will also notify anyone else who requested to be notified of the submission of the plan to the Secretary of State
- The Programme Officer will notify all those who commented on the plan at stage 2 with details of the examination.

HOW WILL WE NOTIFY

- Consultees will be informed by email or letter.

STAGE 4 - ADOPT

Following the Examination, the Inspector will produce a report. The council will consider the Inspector's report, make changes to the plan where appropriate and adopt the final plan.

WHAT WILL WE DO

- We will publish the Inspector's report and notify anyone who requested to be notified
- We will make the adopted document, a sustainability appraisal report, relevant information and adoption statement available for inspection at the council's main office and on the website.

WHO WILL WE NOTIFY

- We will send the adoption statement to the Secretary of State and any person who asked to be notified.

Kent County Council is responsible for the **Minerals and Waste Local Plan**. Anyone who wishes to participate in the preparation of this document can register on the Kent County Council consultee list.

NEIGHBOURHOOD PLANS AND DEVELOPMENT ORDERS

Neighbourhood Plans allow communities to establish general planning policies for the development of land in the area.

Neighbourhood Development Orders and Community Right to Build Orders can grant planning permission for specific types of development in a specific Neighbourhood Area.

Neighbourhood Planning is led by town and parish councils within Dover District. They are able to initiate the process, set the scope of, and prescribe the level of community involvement regarding the plan or order.

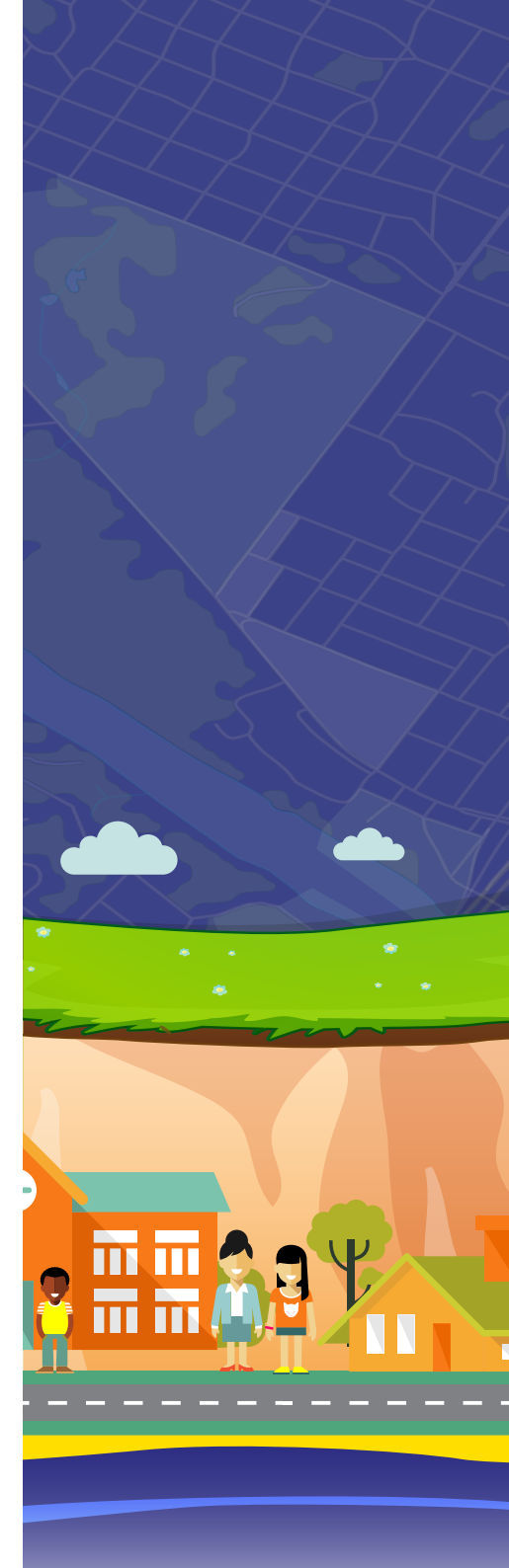
Neighbourhood Plans and Orders must be prepared in accordance with relevant legislation¹. Once adopted, a Neighbourhood Plan forms part of the Development Plan.

WHAT WILL WE DO

The Council will meet all statutory requirements and will give advice and assistance to communities wishing to make a Neighbourhood Plan or Order by undertaking the following actions:

¹The Neighbourhood Planning (General) Regulations 2012, Neighbourhood Planning (General) (Amendment) Regulations 2015 and Neighbourhood Planning (General) and Development Management Procedure (Amendment) Regulations 2016

- Meet the relevant body as soon as possible;
- Explain the different stages involved with a Neighbourhood Plan or Order;
- Direct the relevant body towards information relevant to the Neighbourhood Plan or Order;
- Where possible, share any data already held which may inform the evidence base (such as mapping information);
- Highlight potential issues around compliance with the Local Plan and national policy;
- Support the relevant body as they undertake any necessary Environmental or Habitat assessments;
- Provide feedback in the form of written comments on draft Neighbourhood Plans or Orders;
- When a Plan or Order is submitted, assess the documents compliance with statutory requirements;
- Consult on the council's website and consultation portal with details of how to make representations for a minimum 6 week period;
- Assist with the appointment of the Neighbourhood Plan Examiner;
- Make arrangements for the referendum and (if approved) for bringing into force the plan.



THE STATEMENT OF COMMUNITY INVOLVEMENT

is prepared in the same way as Supplementary planning documents.

COMMUNITY INFRASTRUCTURE LEVY

Specific consultation requirements are set out in the Community Infrastructure Levy Regulations (2010, and amendments), and the Council will meet those requirements when it introduces the Levy in the Dover District.

SUPPLEMENTARY PLANNING DOCUMENTS

STAGE 1 – PREPARE SUPPLEMENTARY PLANNING DOCUMENT

Evidence and ideas are gathered, and alternative approaches are considered.

WHAT WILL WE DO AND WHO WILL WE CONSULT

- We will consult with those individuals and bodies who are relevant to the successful implementation of the SPD
- We may consult more widely if it is considered relevant and appropriate to do so.

HOW WILL WE CONSULT

- This will depend on the type of SPD. The council will consider using one or more of the following methods:
 - Correspondence by letter or email
 - Workshops or focus groups
 - Meetings
 - Drop in events.

STAGE 2 – PUBLISH DRAFT SUPPLEMENTARY PLANNING DOCUMENT

The council is required to consult on the SPD. Publishing a draft provides opportunity to get comments on the document before it is finalised.

WHAT WILL WE DO AND WHO WILL WE CONSULT

- As a minimum, the council will comply with the relevant planning regulations
- We will consult for at least 6 weeks and make copies of the draft SPD available for inspection on the website and at the council's main office and other locations as appropriate to the type of SPD

- We will consult the specific, general and other bodies who are relevant to the topic of the SPD being prepared
- We will consult residents or persons carrying on business in the area where it is appropriate to
- We will make all the comments received publicly available
- We will consider all representations received.

HOW WILL WE CONSULT

- This will depend on the type of SPD. Here the council will consider using one or more of the following methods:
 - Making documents available on the council's website and at inspection points
 - Workshops or drop in events
 - Correspondence through letters or emails
 - Leaflets/Newsletters
 - Targeted measures for hard to reach groups relevant to the topic of the SPD.

STAGE 3 – ADOPT

Once the council has taken into account comments and made any changes to the document, it will be adopted by the council's Cabinet. An independent examination is not required.

WHAT WILL WE DO

- We will prepare a consultation statement
- We will adopt the SPD
- We will publish the SPD, consultation statement and an adoption statement on the website
- These documents will also be available for inspection at the council offices and other locations as appropriate to the type of SPD.

WHO WILL WE NOTIFY

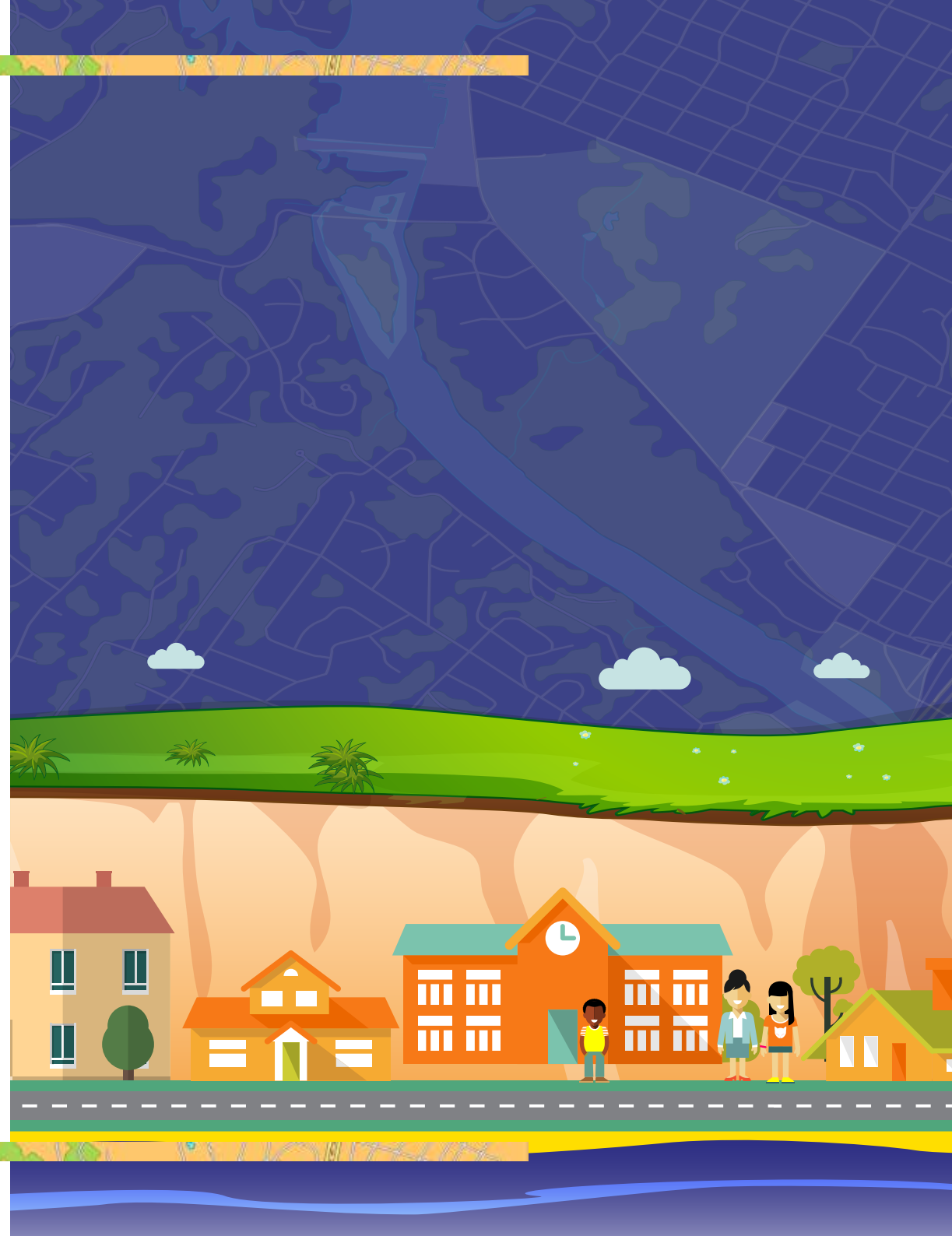
- We will send a copy of the adoption statement to any person who has asked to be notified of the adoption.

PLANNING APPLICATIONS

PREPARING AND PUBLICISING PLANNING APPLICATIONS

We strongly encourage applicants to discuss their proposals with the local community, appropriate statutory and non-statutory consultees and their parish council at an early stage.

When planning applications are received by the Council we first check to ensure that all the necessary information has been provided, as set out in the document 'Dover Validation Requirements'. Larger and more complex applications tend to require more supporting data.





TYPE OF DEVELOPMENT	WHAT APPLICANTS NEED TO DO	WHAT WE WILL DO
<p>MAJOR</p> <p>Residential development of 10 or more dwellings (or if no number is given a site of more than 0.5 ha)</p> <p>Non-residential development with floor space of 1,000 sq m.(or a site of more than 1 ha directly involved in development)</p>	<p>Choose appropriate methods to involve the community, e.g. public meetings /exhibitions, workshops, consultation website</p> <p>Provide a statement with the application, describing how the community was involved with the application and how the application has been amended to take into account the comments raised.</p> <p>Consider local planning documents and national guidance</p> <p>Consider seeking pre-application advice from the Council and appropriate statutory and non-statutory consultees</p>	<p>Provide pre-application advice on request (we charge for this service)</p> <p>Include the application in our weekly list of valid applications</p> <p>Publish the application documents on our website</p> <p>Post site notices on, or near the proposed development site</p> <p>Advertise in the local press</p> <p>Consult statutory consultees, non-statutory consultees and infrastructure service providers as appropriate.</p>
<p>MINOR</p> <p>Smaller in scale than major development and outside the definition for Change of use or Householder</p>	<p>May need to consider methods of community involvement appropriate to the nature, scale and location of the proposed development</p> <p>May need to provide a statement describing the actions taken to involve the community with the application</p> <p>Consider local planning documents and national guidance</p> <p>Consider seeking pre-application advice from the Council and appropriate statutory and non-statutory consultees</p>	<p>Provide pre-application advice on request (we charge for this service)</p> <p>Include the application in our weekly list of valid applications</p> <p>Publish application details on our website</p> <p>Post site notices on or near the development site</p> <p>Advertise in the local press if the application</p> <ul style="list-style-type: none"> • is for a listed building • is in a conservation area • is near or affects a public right of way • is accompanied by an Environmental Impact Assessment • departs from the development plan • affects the setting of a listed building/ conservation area <p>Consult statutory consultees, non-statutory consultees and infrastructure service providers as appropriate.</p>
<p>OTHER</p> <p>Includes the categories of: Change of Use; which does not involve building or engineering work</p> <p>Householder; within the curtilage of a dwelling that requires permission and is not change of use</p>	<p>It is good practice to consult with neighbours before submitting a planning application and any consultation actions could be reported within the planning application</p> <p>Consider local planning documents and national guidance</p> <p>Consider seeking pre-application advice from the Council and appropriate statutory and non-statutory consultees</p>	<p>Consult statutory consultees, non-statutory consultees and infrastructure service providers as appropriate.</p>

HAVE YOUR SAY ON PLANNING APPLICATIONS

There is a consultation period of 21 working days following publication in the local newspapers. Anyone can submit comments during that time. All comments are read and taken into account, but they can only be given weight when making our decision if they are made on valid planning grounds (also known as “material planning considerations”). A list of common material considerations is available on the national Planning Portal website.

We may consider comments that are received after the consultation period has ended, but cannot guarantee to do so. We do not accept responsibility for, and cannot take into account, comments that fail to reach us in time because they have been delayed or lost in the postal system. For these reasons, the best way to add your comments is to submit them via our website before the consultation deadline expires. We will not reply individually to comments received about applications.

Public comments are placed on our website. It is important to remember this when submitting comments as you will be legally responsible for their content. You must not submit any comments which are offensive or which might give rise to legal proceedings against you, for example, if they are racist, sexist, homophobic or defamatory, or discriminatory in any way.

We are working towards implementing a system that will automatically remove public comments from our website after the period for appeals to be made has passed. This will occur seven months after the application is decided.

Submit comments on planning applications at <http://www.dover.gov.uk/Planning/Planning-Applications/View-Applications-Decisions/Submitting-Comments.aspx>

CONSULTEE COMMENTS ON APPLICATIONS

Planning legislation and guidance specifies that various organisations must be consulted when a Local Planning Authority is considering applications; these are known as statutory consultees. We always consult the relevant town or parish council, but the other statutory consultees vary according to the type of application. For example with a Listed Building Consent application for works to a Grade I listed building, Historic England must be consulted.

Internal professional advice may also be sought from our own officers within the council who have expertise in construction, conservation/ heritage, design, trees, landscape design, biodiversity, open space, noise, pollution, licensing, drainage, transport, and legal matters.

Comments received from statutory consultees and internal consultations are available to view via our website.

AMENDMENTS TO APPLICATIONS

It is common for submitted applications to be altered during the process of determination. These changes usually come about through negotiation between the applicant and the case officer, for example following receipt of comments from consultees, or local residents.

We may reconsult for 21 working days when amended details are received. For example, we would re-consult if we consider that the new proposals are likely to cause a significantly greater detrimental impact on the occupants of adjoining properties.



**Keep Me
Posted**
News and alerts by email

The weekly list of validated planning applications is available from dover.gov.uk/weeklyplanninglist or register for regular updates by signing up to **Keep Me Posted**.



PUBLIC SPEAKING

Where an application is to be determined by the Planning Committee, members of the public can request to speak at the committee meeting. This is limited to one person speaking in favour of the application and one person against. The speakers are allowed up to three minutes each. District Councillors may also speak.

Details of how to request to speak at a Planning Committee meeting, and the associated rules, can be found on our website.

AFTER THE DECISION IS REACHED

We notify the applicant of our decision. A copy of the decision notice is placed on our website along with a copy of the committee or officer's report. Also, anyone who has commented upon a planning application will be notified.

APPEALS

Only applicants have the right of appeal; there are no third party rights of appeal. The appeal process is managed by the independent Planning Inspectorate. Details of all appeal rules and procedures can be found by visiting the national Planning Portal website.

IS IT WORKING?

We aim to make our consultations easy to understand and participate in, and to carry them out in a fair and open way.

We will review feedback obtained through planning consultations to check whether our methods are working effectively. We will do this when consultation statements are prepared as part of Plan Making. The effectiveness of consultations will also be reviewed annually in the council's Authority Monitoring Reports.

The Statement of Community Involvement now recognises that a great deal of communication occurs by electronic means. This edition of the SCI also takes into account recent changes to legislation and national guidance relevant to consultation. It meets legal requirements set out in:

Plan-making: Planning and Compulsory Purchase Act 2004, Section 18; Town and Country Planning (Local Development) England Regulations 2012; Neighbourhood Planning (General) Regulations 2012.

Planning applications: Town and Country Planning (Development Management Procedure) (England) Order 2015.

We intend to continue improving our consultation practices. We will revise the SCI again if our monitoring shows that we could improve our approach to consultation, or if the government requires us to change the way in which consultation takes place.

As a minimum, the Statement of Community Involvement will be reviewed every five years.



GLOSSARY

Authority Monitoring Report: A report produced each year by local authorities, which assesses progress with, and the effectiveness of, its plan-making documents.

Consultation Statement: A summary of the main issues raised by the consultation

Curtilage: the land immediately surrounding a dwelling, including any closely associated buildings and structures.

Environmental Impact Assessment: An analytical process that systematically examines the possible environmental consequences

Infrastructure: Facilities that are needed for the operation of a society. The Community Infrastructure Levy regulations cover particular types of facility including roads and schools.

Inspection Point: Locations across the district where consultation documents can be viewed. As a minimum this means the main council offices at Whitfield and libraries within the District.

Local Development Scheme: This public statement sets out the programme for the preparation of the Local Plan and Local Development Documents.

Local Enterprise Partnership: A body, designated by the Secretary of State, established for the purpose of creating or improving the conditions for economic growth in an area.

Local Nature Partnership: help their local area to manage the natural environment as a system and to embed its value in local decisions for the benefit of nature, people and the economy.

Local Plan: May consist of a single document or a set of documents such as a Core Strategy, Site Allocations, Development Management Policies and Area Action Plans. These are formal plans for a geographical area which are key points of reference when deciding planning applications.

Local Strategic Partnership: Bring together representatives from the local statutory, voluntary, community and private sectors to address local problems, allocate funding and discuss strategies and initiatives.

Minerals and Waste Local Plan: Produced by Kent County Council, these documents set out plans relating to mineral and waste developments in Kent.

National Planning Policy Framework: Sets out the Government's planning policies for England and how these are expected to be applied.

Neighbourhood Plan: Prepared by local communities, these set out policies and proposals for the future development of a neighbourhood but they must conform to the strategic policies of the Local Plan.

Programme Officer: Person appointed to assist with all administrative matters related to Examinations of Local Plan documents.

Representation: A formal statement submitted by a consultee at the submission stage of a development plan document.

Supplementary Planning Document (SPD): These documents, including issue-based documents, design guidance and masterplans, provide more detail to how policies in the Local Plan should be used.

Sustainability Appraisal (including Strategic Environmental Assessment): A systematic and iterative appraisal process, incorporating the requirements of the Strategic Environmental Assessment Directive. Its purpose is to appraise the social, environmental and economic effects of the strategies and policies in a local development document from the outset of the preparation process. This will ensure that decisions are made that accord with sustainable development.

For information about:
Local Development Documents
and to register for email alerts
of consultations, contact
Regeneration Delivery:
regenerationdelivery@dover.gov.uk
01304 872477
or visit the Council offices.

For information about:
Planning applications contact
Development Management:
developmentcontrol@dover.gov.uk
01304 821199
or visit the Council offices.

