



James Ellis  
Head of Legal and Democratic Services

**MEETING** : OVERVIEW AND SCRUTINY COMMITTEE  
**VENUE** : VIRTUAL MEETING - ZOOM  
**DATE** : TUESDAY 2 FEBRUARY 2021  
**TIME** : 7.00 PM

## **MEMBERS OF THE COMMITTEE**

Councillor J Wyllie (Chairman)

Councillors S Bell, M Brady, R Buckmaster, A Curtis, I Devonshire,  
H Drake, J Frecknall, M Goldspink (Vice-Chairman), D Hollebon, J Kaye,  
D Snowdon, M Stevenson and N Symonds

## **Substitutes**

Conservative Group: Councillors D Andrew, I Kemp and A Ward-Booth  
Green: Councillor B Crystall  
Labour: Councillor C Redfern

*(Note: Substitution arrangements must be notified by the absent Member to Democratic Services 24 hours before the meeting)*

**CONTACT OFFICER: PETER MANNINGS**  
**01279 502174**  
**[peter.mannings@eastherts.gov.uk](mailto:peter.mannings@eastherts.gov.uk)**

## **DISCLOSABLE PECUNIARY INTERESTS**

1. A Member, present at a meeting of the Authority, or any committee, sub-committee, joint committee or joint sub-committee of the Authority, with a Disclosable Pecuniary Interest (DPI) in any matter to be considered or being considered at a meeting:
  - must not participate in any discussion of the matter at the meeting;
  - must not participate in any vote taken on the matter at the meeting;
  - must disclose the interest to the meeting, whether registered or not, subject to the provisions of section 32 of the Localism Act 2011;
  - if the interest is not registered and is not the subject of a pending notification, must notify the Monitoring Officer of the interest within 28 days;
  - must leave the room while any discussion or voting takes place.
2. A DPI is an interest of a Member or their partner (which means spouse or civil partner, a person with whom they are living as husband or wife, or a person with whom they are living as if they were civil partners) within the descriptions as defined in the Localism Act 2011.
3. The Authority may grant a Member dispensation, but only in limited circumstances, to enable him/her to participate and vote on a matter in which they have a DPI.
4. It is a criminal offence to:

- fail to disclose a disclosable pecuniary interest at a meeting if it is not on the register;
- fail to notify the Monitoring Officer, within 28 days, of a DPI that is not on the register that a Member disclosed to a meeting;
- participate in any discussion or vote on a matter in which a Member has a DPI;
- knowingly or recklessly provide information that is false or misleading in notifying the Monitoring Officer of a DPI or in disclosing such interest to a meeting.

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Visit <https://www.eastherts.gov.uk/article/35542/Political-Structure> for details.

## AGENDA

### 1. Apologies

To receive apologies for absence.

### 2. Minutes - 8 December 2020 (Pages 7 - 12)

To approve as a correct record the Minutes of the meeting held on 8 December 2020.

### 3. Chairman's Announcements

### 4. Declarations of Interest

To receive any Members' Declarations of Interest.

### 5. Cultural Strategy (Pages 13 - 38)

### 6. Planning Enforcement Plan – Review and Update (Pages 39 - 60)

### 7. Overview and Scrutiny Committee - Draft Work Programme (Pages 61 - 78)

### 8. Urgent Business

To consider such other business as, in the opinion of the Chairman of the meeting, is of sufficient urgency to warrant consideration and is not likely to involve the disclosure of exempt information.

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MINUTES OF A MEETING OF THE  
OVERVIEW AND SCRUTINY COMMITTEE  
HELD IN THE VIRTUAL MEETING - ZOOM  
ON TUESDAY 8 DECEMBER 2020, AT 7.00  
PM

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PRESENT: Councillor J Wyllie (Chairman)  
Councillors S Bell, M Brady, R Buckmaster,  
I Devonshire, H Drake, J Frecknall,  
M Goldspink, D Hollebon, J Kaye,  
D Snowdon and N Symonds

ALSO PRESENT:

Councillors D Andrews, B Crystall and  
A Ward-Booth

OFFICERS IN ATTENDANCE:

Peter Mannings	-	Democratic Services Officer
William Troop	-	Democratic Services Officer

ALSO IN ATTENDANCE:

David Lloyd	-	Hertfordshire Police and Crime Commissioner
Deputy Chief Inspector Stuart Orton	-	Hertfordshire Constabulary

281 APOLOGIES

There were no apologies. The Democratic Services Officer said that two Members of the Committee had indicated by email that they would be joining the meeting after it had commenced.

282 MINUTES - 3 NOVEMBER 2020

It was moved by Councillor Goldspink and seconded by Councillor Devonshire that the minutes of the meeting held on 3 November 2020 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, this motion was declared CARRIED.

**RESOLVED** – that the minutes of the meeting held on 3 November 2020 be confirmed as a correct record and signed by the Chairman.

283 CHAIRMAN'S ANNOUNCEMENTS

The Chairman said that the Local Authorities and Police and Crime Panels (Coronavirus) (Flexibility of Local Authority and Police and Crime Panel Meetings) (England and Wales) Regulations 2020 came into force on Saturday 4 April 2020 to enable councils to hold remote committee meetings during the Covid-19 pandemic period. This was to ensure local authorities could conduct business during this current public health emergency. This meeting of the Overview and Scrutiny Committee was being held remotely under these regulations, via the Zoom application and was being recorded and live streamed on YouTube.



284 DECLARATIONS OF INTEREST

There were no declarations of interest.

285 PRESENTATION ON POLICING IN EAST HERTS

The Hertfordshire Police and Crime Commissioner set out a contextual picture for the presentation to be given by Deputy Chief Inspector Stuart Orton. He said that there had been significant reductions in crime during lockdown and Police Officers were working hard to prevent people being victims of crime. He expressed a hope that the uplift in police numbers would support this ongoing work.

Deputy Chief Inspector Orton said that the presentation covered findings from data that covered March to October 2020 in respect of knife crime, which had been increasing but from a very low base number of incidents. He referred to mapped county line in the Hertford area and an unmapped line based in Bishop's Stortford.

Members were advised about the intelligence picture regarding cuckooing and violence in Easts Herts. Deputy Chief Inspector Orton said that levels of knife crime had been increasing across the East Herts Community Safety Partnership since May, after a decrease which had coincided with the restrictions in movement linked to the COVID-19 lockdown that had been imposed in March.

Members were given an overview of CLICM (County Lines Intelligence Collection Matrix) and an assessment

of the threats and findings. Deputy Chief Inspector Orton said that identified county lines in Hertfordshire were shown as being based in North and East London.

The Committee was presented with an analysis of cuckooing in East Herts by Deputy Chief Inspector Orton, in the form of a graph and other data that showed numbers and locations of recent cuckooing incidents and details of where this activity had been disrupted by police.

The presentation concluded with an analysis of knife crime in East Herts, broken down by offence type, which included aggravated burglary, assault, possession of an offensive weapon, robbery, serious assault (GBH) and threats to kill. Members were provided with graphs that presented data regarding knife crime in the context of the age of suspects and victims respectively from March to October 2020.

Following the presentation, Members asked a number of questions of the Police and Crime Commissioner and the Deputy Chief Inspector from Hertfordshire Constabulary. After these questions had been answered, Members received the presentation. The Chairman thanked the Police and Crime Commissioner and the Deputy Chief Inspector for presenting to the Committee.

**RESOLVED** – that the presentation be received.

## 286 OVERVIEW AND SCRUTINY COMMITTEE – DRAFT WORK PROGRAMME

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The Democratic Services Officer read out a statement on behalf of the Scrutiny Officer in respect of the usual consolidated work programme, which summarised both the work of Overview and Scrutiny and Audit and Governance Committees.

Members were advised that there would be a joint meeting of Overview and Scrutiny and Audit and Governance Committees on 12 January 2021 to consider the Budget for 2021/22 Budget and the Medium Term Financial Plan (MTFP) for 2021-24. Following consideration of the Parking recommendations by the Executive on 24 November 2020, a report would be presented in February 2021 and it was also anticipated that the Annual Scrutiny Report would be presented to Members.

The Democratic Services Officers said that there had been a Scrutiny Workshop presented by Ian Parry from the Centre for Governance and Scrutiny (CfGS) on 3 December 2020 and this had provided Members with an opportunity to consider the final report and to ask questions.

Members were reminded that three monthly meetings were held with the Chairman and Vice Chairman of both Overview and Scrutiny and Audit and Governance Committee to consider the Work Programmes of both Committees in the context of the Forward Plan.

It was moved by Councillor Goldspink and seconded by

Councillor Symonds that the draft consolidated Work Programme be approved. After being put to the meeting and a vote taken, the motion was declared CARRIED. The Chairman said that Members could always email Officers with suggestions for the work programme.

**RESOLVED** – that the draft consolidated work programme be approved.

287 URGENT ITEMS

There was no urgent business.

The meeting closed at 8.09 pm

Chairman .....
Date .....

## East Herts Council Report

### Overview and Scrutiny Committee

**Date of Meeting: Tuesday 2 February 2021**

**Report by: Mekhola Ray, Community Wellbeing Programme Officer**

**Report title: Draft East Herts Cultural Strategy 2021-2025**

**Ward(s) affected: All**

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### Summary

#### **RECOMMENDATIONS:**

**A. That the draft Cultural Strategy, incorporating the feedback from the public engagement exercise, be considered and any additional areas be highlighted for the Executive's consideration when determining whether to recommend the Strategy to Council for adoption.**

#### **1.0 Proposal(s)**

1.1 Committee Members review the draft Cultural Strategy ahead of submission to the Executive's determination of whether to recommend the strategy to Council for adoption on 2<sup>nd</sup> March 2021.

#### **2.0 Background**

2.1 In the run up to the Hertfordshire Year of Culture 2020, senior officers and members identified the need to develop a Cultural Strategy for East Herts. The need remains despite the Year of Culture have concluded and, indeed, having been significantly impacted by the Covid pandemic.

- 2.2 The draft Strategy (2021-2025) seeks to support community organisations and individuals to grow, adapt to the changing environment, and deliver a thriving cultural offer in East Herts.
- 2.3 A public engagement exercise was undertaken in November 2020 and received 50 responses with the vast majority of responses showing support for the strategy.
- 2.4 A wide range of organisations responded to the public engagement exercise, including museums, arts organisations, Town Councils and libraries amongst others. The full list of organisations responding to the survey is available in **Appendix B**.
- 2.5 The public engagement exercise asked respondents which of the ambitions highlighted in the strategy they supported and if the vision for the Cultural Strategy was fitting. As many as, 84% of respondents agreed that the overall vision was fitting and the ambitions that drew most support were:
- strong partnerships resulting in a resilient cultural infrastructure (88% of respondents prioritised this)
  - investment in arts and culture contributing to tangible gains (86%)
  - interested parties support each other to encourage entrepreneurial and innovative cultural practitioners to invest in East Herts (80%).
- 2.6 Respondents were asked on which of the highlighted actions the Strategy should focus. The most popular responses were:
- provide opportunities for engagement in cultural activity that extends across our communities (90% of respondents prioritised this)
  - support all partners to develop cultural opportunities in all corners of our district (90%)

- ensure digital delivery is accessible to all residents (90%).
- 2.7 Respondents were asked which of the highlighted areas were key to their organisation being able to contribute to the Strategy's ambitions. Answers were varied, however the most frequently given responses were:
- financial support or grant funding (30% cited this)
  - increased members, users or participants (28%)
  - increased volunteers with the right skills (22%).
- 2.8 Respondents were asked which of the highlighted barriers to successful delivery of the strategy needed to be addressed by partners. Answers varied, however the most frequently given responses were:
- lack of funding (20%)
  - not enough staff or volunteers (16%)
  - individuals are anxious about returning to group activities (16%).
- 2.9 Respondents were asked which of the highlighted areas were most likely to prevent cultural activities being delivered in rural areas of East Herts. The most frequently given responses were:
- not enough staff or volunteers to run activities (14%)
  - lack of funding (12%)
  - lack of knowledge on how to promote and market activity (10%).
- 2.10 Responses to the public engagement also highlighted a need to reflect an increased focus on developing a cultural offer in rural communities, as well as among residents from more diverse religious, black and minority ethnic backgrounds.
- 2.11 Respondents also asked for further clarity as to how the council would assist in providing or enabling access to funding

opportunities to support the delivery of the strategy.

- 2.12 The feedback from the public engagement exercise has been analysed and incorporated in to the latest draft of the Cultural Strategy.

### **3.0 Context**

- 3.1 The Cultural Strategy aims to support all community organisations in East Herts to operate in a self-sustained way and reduce reliance on council funding.
- 3.2 The development of the strategy has been overseen by a small group of East Herts officers (from Housing and Health, Strategic Policy, Economic Development, Communications and Hertford Theatre,). Their contributions and feedback have been incorporated in the Strategy.
- 3.3 A public engagement exercise was undertaken in November 2020. The results have been analysed and incorporated in to the latest draft of the Cultural Strategy.

### **4.0 Options -**

- 4.1 Do not review the strategy and results of public engagement. NOT RECCOMENDED. If the Strategy is to be a success, it will need to have the support and understanding of our whole community. Developing a strong cultural offer in East Herts offers the opportunity to help improve the quality of life for residents in East Herts.
- 4.2 Review the strategy; identify any gaps or areas for development ahead of the Strategy being submitted to full Council. RECCOMENDED as this will ensure our officers, residents, community organisations have all had an input in to the strategy and understand what is required to ensure its success.



## **5.0 Risks**

- 5.1 Responses from the public engagement exercise highlight funding as one of the main areas that might act as a barrier to the success of the strategy. To mitigate this risk the Council shall provide a range of networking opportunities to bring organisations together to identify funding partnership funding opportunities, and where possible, support bids for external funding. The Council shall continue to provide funding opportunities through the East Herts Lottery and Community Grants programmes.
- 5.2 Responses from the public engagement exercise noted a need to have adequate staff and volunteers available to help deliver activities. To mitigate this risk, the Council shall help promote activities and opportunities to support organisations. In addition to this, the Council is working with Team Herts to promote volunteer opportunities.
- 5.3 Transport links, travel difficulties and lack of suitable venues to hold event have also been highlighted as potential risks. To mitigate this, the Council is working with partner organisations including Age UK and Clarion Housing to deliver digital training, giving residents the skills to be able to access online activities. The Council shall also explore opportunities to map cultural assets in rural locations that can provide suitable venues to deliver cultural activities locally.

## **6.0 Implications/Consultations**

- 6.1 Public engagement on the cultural strategy was undertaken in November 2020. 50 responses have been received - the vast majority of feedback has been positive, with 44 out of 50 responses in agreement that proposed vision and ambitions are right.
- 6.2 Council Members and East Herts Officers have been consulted in the development of this Strategy. Their feedback has been

incorporated in the Strategy.

### **Community Safety**

Perception and fear of crime and maintaining good community safety is closely connected to enjoyment of civic life and good health and wellbeing. More targeted arts related programmes in tackling anti-social behaviour will be explored and developed through the rolling action plan.

### **Data Protection**

Data sharing agreements and proportionate sharing of data needs to be considered by the Partnership Steering group.

### **Equalities**

Equality Impact Assessment (EQIA) will be developed ahead of the Strategy being adopted at full Council.

### **Environmental Sustainability**

The Strategy encourages aims to enable, and encourages the cultural sector, to operate in an environmentally sustainable way, reducing the it's carbon footprint.

### **Financial**

There may be pressure for the Council to support activities financially. The Strategy outlines the need for organisations to work together in a sustainable way, reducing the dependence on Council funding. The Council shall continue to provide funding opportunities through the East Herts Lottery and Community Grants programmes.

### **Health and Safety**

Standard Risk Assessment will be in place for all cultural deliveries.

### **Human Resources**

The East Herts Community Wellbeing and Partnerships team will support the oversight and delivery of this Strategy.

## **Human Rights**

No direct implication.

## **Legal**

No

## **Specific Wards**

Wards are targeted according to specific needs, whilst more universal programmes would focus on district wide communities.

## **7.0 Background papers, appendices and other relevant material**

### **7.1 Appendices:**

Appendix A – East Herts Draft Cultural Strategy 2021-25

Appendix B – Organisations and individuals responding to the public engagement exercise

**Contact Member** Councillor Eric Buckmaster – Executive Member for Health and Wellbeing  
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**Contact Officer** Jonathan Geall – Head of Housing and Health,  
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**Report Author** Mekhola Ray – Community Wellbeing Programme Officer, Tel: 01992 531613  
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# *Culture is for everyone!*



**Cllr Eric Buckmaster  
Executive Member for  
Health and Wellbeing  
East Herts Council**

**It gives me great pleasure to introduce the Cultural Strategy for East Herts.** As a member of East Herts Council's Executive since 2015 I have sampled at first hand many delightful events organised by a variety of organisations across the District. These may have been delivered in educational settings, or through activities arranged by our many enthusiastic community volunteers in our larger towns, as well as performances in the smallest of halls or open spaces in our villages.

Arts and culture is a very broad subject and I am not going to attempt to define or limit it here. That is all part of the challenge and the opportunity. I'm sure that many of those organisations involved in the arts and cultural sector in East Herts aspire to see it become part of the lives of all of our residents with many more participating and contributing.

Our Strategy seeks to share the gifts of our arts, culture, heritage and our creative industries with established and new audiences alike. We know the potential of arts, culture and creativity in enriching people's lives and we all have our part to play to ensure everyone can enjoy and be inspired by the exciting and unexpected cultural opportunities on offer.

This is just the beginning. The pandemic may have to make us think differently but it was always impressed upon me that with every difficulty comes an opportunity. The Strategy will evolve and grow over time, so let's support and encourage each other as we begin this journey of exploration and discovery. Above all, let's all have fun while doing it.

## ***We will make this Strategy a success***

The East Herts Cultural Strategy 2021 – 2025 is a call to action for everyone involved in arts and culture in East Herts.

The following partners have contributed to the development of this Strategy and signed up to drive forward implementation the East Herts Cultural Strategy.

### ***We are thrilled to be part of the 'we':***

Partners' LOGOS and SIGNATURES to be added on this page.

### ***Let's be inspired***

This Strategy marks the beginning of our new cultural journey that will involve identifying all of the great physical and human assets of the district, seeking out those who currently are not able to access the arts and exploring ways to increase the cultural engagement for all of our residents.

# 1. *The Big Picture*

## ***Our vision***

*“East Herts will lead the way in demonstrating that when residents, community organisations and the creative industries come together extraordinary, surprising and delightful things can happen that enrich and enhance everyone’s health, wellbeing and sense of inclusion.”*

## ***Our ambitions***

Our ambitions are high. We want to make East Herts a place where:

- truly extraordinary things happen throughout the district, all year round
- strong partnerships result in a resilient cultural infrastructure that offers our diverse communities a wide range of cultural opportunities
- residents along with the public, private and voluntary sectors support each other to encourage entrepreneurial and innovative cultural practitioners to invest, live and work in East Herts
- investment in arts and culture contributes to tangible gains in health and wellbeing outcomes, economic resilience and environmental sustainability
- sustainability is at the heart of our cultural infrastructure and activities
- our achievements are recognised far beyond our district’s boundaries.

## ***This Strategy is everyone’s blueprint***

This Strategy is set within the wider policy context and economic growth ambitions of existing district-wide strategies and business plans of East Herts partner agencies. East Herts Council sees itself as part of the community, not apart from it. When we say ‘we’ or ‘us’ in this Strategy, it means everyone involved in culture in East Herts.

This Strategy takes the broadest of views of what culture in East Herts covers because inclusion is at its heart. So, arts and culture can be considered to include:

- the performing and visual arts
- festivals
- tourism and leisure
- heritage and historical buildings and resources
- sport and physical activities
- parks and open spaces
- children's play
- voluntary groups where individuals meet to pursue common interests

The evidence based review of the Value of Arts & Culture to People & Society by Arts Council England (ACE) highlighted that culture and arts have a significant positive impact on people's lives. This Strategy recognises that the outcomes of cultural investment will be seen in local people's health and wellbeing, community safety, and local economic growth. No single organisation, interest group, or industry can deliver this alone; our strength is in our shared impetus to excel.

We recognise that culture can be a key driver for the prosperity of our area. The creative economy is one of the fastest growing sectors in the country and the digital and creative industries are highlighted by government as priorities for growth. Our combined track record of community engagement, high educational attainment and pride in local provision mean we can all contribute to these growing sectors.

### ***Our ambitions haven't been dented by Covid-19***

The Covid-19 pandemic has had a serious impact on the ability to hold the events and activities that maintain social engagement in our district. We cannot lose sight of the pleasure that participating in or simply watching a cultural event can bring and must re-think ways to encourage and enable participation in arts and culture.

Before the pandemic, many of our residents found it difficult to access culture whether through living in relatively disadvantaged areas, owing to disabilities or having only limited access to transport. We will tackle existing and Covid-19 related barriers to enjoying culture in East Herts by working together across the district.



## *2. Our new cultural journey starts here*

Culture brings people together to forge rewarding and stimulating lives, building our resilience and self-esteem in the process.

East Herts may be on London's doorstep but we are certainly not in London's shadow. Though just 30 miles from London's West End, we have a very long history of growing and providing our own cultural offer. Halifax Quality of Life Survey 2020 announced that East Herts is the best place to live in the UK, offering one of the highest qualities of life in the country; our cultural activities are central to this.

The district has a distinct cultural heritage reflecting its market towns and countryside, including its rural and agricultural landscape. The district is home to a number of cultural and creative industries, museums, heritage sites, arts centres, performance companies, sculpture and craft retail, individual craft makers and designers, giving residents a place to relax and enjoy a wonderful range of cultural activities. There are also over 120 parks and open spaces, providing valuable places for all people to play, exercise, meet one another, and hold public events and festivals.

East Herts' population is a vibrant patchwork of people from many different backgrounds and groups. The most recent census showed:

- population projections show the numbers in all age groups are growing in the district, in particular those aged 60+ years
- some 8,700 people are living with a disability
- around 3,200 people have a learning disability
- nearly 1,400 people have dementia
- an estimated 6% of our population are Lesbian, Gay, Bisexual, Transgender or Questioning (LGBTQ)
- the white British population is the largest ethnic group in East Herts but the proportion of non-white British people in the district is steadily growing from the 10% recorded at the time of the 2011 Census .

### 3. *Actions built on need*

The Cultural Strategy has been built on a review of the evidence and horizon-scanning to better understand our communities, the gaps in the district’s cultural offer, the opportunities for growth and the actions we thus need to take.

*[The areas identified for delivery in the table below are from evidence gathered through Peer Research and community conversations.]*

<p><b>a) East Herts’ population is changing and new neighbourhoods and garden villages are bringing new opportunities</b></p>	<p>The East Herts District Plan proposes significant new housing growth across the district up to 2033. This, together with an increasingly diverse population, brings new opportunities, new perspectives and new expectations. This is exactly what drives innovation in cultural activities and so cultural enrichment should be a key policy priority from the beginning of the development process.</p> <p>In a context of finite funding for public and community-based arts, new development offers the opportunity to create cultural facilities that can fund themselves in the long term and to establish stewardship structures to oversee the management of these facilities.</p> <p>Thoughtful planning and development can help co-ordinate the provision of new cultural facilities through unlocking developer contributions. An example of this is the new garden town, planned in Gilston, which provides an opportunity to expand culture through, for example, new public artworks, bringing art and design into everyday life.</p>
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Action	<ul style="list-style-type: none"> <li>• Support development of a cultural offer in East Herts which takes on board the changing population profile and ensures a widening range of activities that meet the needs of all our residents.</li> <li>• Embed arts and culture within new neighbourhoods and garden towns in the district, creating cultural opportunities residents.</li> <li>• Provide affordable access to cultural opportunities for East Herts residents especially the over 50s and 12-24 year old young people.</li> <li>• Ensure residents of all religious and black and minority ethnic backgrounds across East Herts are fully involved in the development of cultural opportunities in the district.</li> </ul>
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<b>b) Relative deprivation can hamper access to arts and culture</b>	<p>Engagement in cultural activities is influenced by socio-economic background and by where people live. East Herts residents enjoy generally better levels of health and wellbeing than the England average, however, this tends to mask small pockets of deprivation. The Public Health England Local Authority profile 2017 confirms that five of the most deprived wards account for 16% of the population, representing around 23,000 individuals.</p>
Action	<ul style="list-style-type: none"> <li>• Provide opportunities, to be identified through community conversations and needs based research, for engagement in cultural activity that extend across our communities including our more deprived areas</li> <li>• Support the development of local, cultural opportunities, working with local community groups and village halls, to reduce the need for travel to participate in cultural activities.</li> </ul>

<p><b>c) Arts and culture can alleviate loneliness and so have a positive impact on health and wellbeing</b></p>	<p>National Quality of Life data published in 2018 underlines that loneliness is a main challenge to individuals' quality of life.</p> <p>Triggers for loneliness vary throughout the different stages of life. Among younger adults, unemployment, financial challenges and raising a family alone have all been found to lead to feelings of isolation. Our older residents may be facing bereavement or disabilities which again can also trigger social isolation and loneliness.</p>
<p>Action</p>	<ul style="list-style-type: none"> <li>• Reach out to communities, going beyond the participants they already know by providing a sensitive approach to drawing in those who have lost their confidence or feel that the arts have little to offer them.</li> <li>• Encourage cultural activities that foster physical activity 'by stealth', for example photography clubs that promote walking.</li> <li>• Encourage communities to establish activities close to home, reducing the barriers to access and supporting residents in rural communities to participate in cultural opportunities.</li> </ul>

<p><b>d) Arts and culture can promote community safety and civic pride</b></p>	<p>Arts-related programmes can prove to be key ways of tackling anti-social behaviour and bringing different groups together to achieve a common, community-oriented goal. For example, interventions aimed at offenders can improve communication skills, teamwork and self-awareness which may reduce the later likelihood of reoffending.</p>
<p>Action</p>	<ul style="list-style-type: none"> <li>• Engage with residents and communities to safeguard people, property and individuals.</li> <li>• Support the Hertford at Night Community Voice initiative to reduce crime and anti-social behaviour within the Night Time Economy.</li> <li>• Support residents from all communities, circumstances and abilities to participate in cultural activities across East Herts</li> </ul>

<p><b>e) Young people thrive when they are involved in arts and culture</b></p>	<p>The Arts Council England review suggests taking part in drama and library activities has been proven to improve attainment in literacy, while taking part in structured music activities improves attainment in maths, early language acquisition and early literacy for young people.</p>
<p>Action</p>	<ul style="list-style-type: none"> <li>• Work with young people and educational institutions in the district to encourage active participation in cultural activities to enhance confidence, build skills and improve employment opportunities.</li> <li>• Work with cultural groups from all East Herts communities to ensure children of all abilities and circumstances have access to, and participate in, enriching cultural experiences.</li> <li>• Work is underway to ascertain school needs and assess Hertford Theatre’s potential offer in relation to those needs funded by Royal Opera House Bridge programme.</li> </ul>

<p><b>f) Just getting to an arts venue can be a challenge</b></p>	<p>East Herts has high levels of car ownership reflecting many residents’ relatively higher incomes. Car ownership rates may also result from the rural and somewhat dispersed nature of our district and this causes problems for residents without access to their own transport.</p> <p>Despite good rail links into and out of London from the district’s major towns, many rural communities still have very limited transport options other than car use. While every ward is served with a bus service, there is great variation in frequency.</p>
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Action	<ul style="list-style-type: none"> <li>• Support all partners to develop cultural opportunities in all corners of our district, allowing our residents to participate in a rich cultural life in their own communities, whether in the rural villages or the bustling town centres.</li> <li>• Identify how the potential of the district's assets, such as village and community halls, can be maximised to achieve its cultural vision, bringing in the relevant partners to identify projects and deliver initiatives that benefit residents in East Herts.</li> </ul>
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<p><b>g) COVID19 has made a big impact</b></p>	<p>The COVID19 pandemic has demonstrated the value and potential of digital and virtual methods for bringing people together and enabling shared experiences.</p> <p>Social distancing measures have resulted in a number of organisations reaching out through the adoption of digital platforms.</p> <p>Despite the loss of physical human connectivity, digital technology has kept the community alive in East Herts – all from the safety of people's homes.</p>
Action	<ul style="list-style-type: none"> <li>• Build on what we've all learnt from the COVID19 pandemic so that we can harness the potential of digital media to deliver both existing and new cultural activities and opportunities through an invigorating blend delivery of digital and physical platforms.</li> <li>• Ensure digital delivery is accessible to all residents wishing to engage with culture through digital platforms.</li> <li>• Produce an approach to communications that will enable all partners to publicise opportunities through both digital and traditional methods, such as leaflets, posters and word of mouth.</li> </ul>

<p><b>h) Cultural activities are not immune to the challenges of climate change</b></p>	<p>Climate change is one of the biggest threats to our planet. East Herts Council has set itself a challenging target of achieving carbon neutrality by 2030. Partners have come together as the East Herts Environmental and Climate Change Forum to work towards the district itself being carbon neutral by 2030 – an extremely challenging aspiration.</p> <p>The entire cultural sector must challenge itself to provide activities that minimise the carbon footprint, by bringing activities closer to where people live to minimise travel, by building reuse and recycling into business-as-usual or by staging events that influence people’s thinking about the environment and encourage them to make for environmentally sustainable choices.</p>
<p>Action</p>	<ul style="list-style-type: none"> <li>• Enable the cultural sector to find ways to reduce its carbon footprint and encourage more environmentally sustainable actions across the entire cultural activity map from event design and production to engagement with audiences.</li> </ul>
<p><b>i) This strategy will be judged by the impact it has</b></p>	<p>Delivery of the Strategy will be secured through annual action plans devised by the East Herts Cultural Peer Support Group which will include actions and targets for the council and its partners, not just a few organisations.</p> <p>A wider, inclusive Cultural Sector Reference Group will fulfil a ‘critical friend’ role to ensure the priorities of the strategy are fulfilled.</p> <p>We recognise that some actions, projects and funding bids will benefit from detailed evidence gained through gap analyses and empirical research. Such future work will be carried out by the partners coming together or by the partners’ pooling financial resources to fund external expertise.</p>
<p>Action</p>	<p>We will design and implement different methodologies for collecting and evaluating information including capturing specific data and evidence throughout the life of the Strategy such as:</p> <ul style="list-style-type: none"> <li>• creative outputs and outcomes</li> <li>• local people’s participation as board members of creative organisations</li> </ul>

<p><b>h) Cultural activities are not immune to the challenges of climate change</b></p>	<p>Climate change is one of the biggest threats to our planet. East Herts Council has set itself a challenging target of achieving carbon neutrality by 2030. Partners have come together as the East Herts Environmental and Climate Change Forum to work towards the district itself being carbon neutral by 2030 – an extremely challenging aspiration.</p> <p>The entire cultural sector must challenge itself to provide activities that minimise the carbon footprint, by bringing activities closer to where people live to minimise travel, by building reuse and recycling into business-as-usual or by staging events that influence people’s thinking about the environment and encourage them to make for environmentally sustainable choices.</p>
	<ul style="list-style-type: none"> <li>• levels of investment in the arts and culture sector in the district</li> <li>• numbers of jobs, traineeships, apprenticeships, internships and opportunities for volunteering in the sector</li> <li>• levels of participation, audience reach and engagement</li> <li>• press coverage, marketing and publicity.</li> </ul>

## *4. How we will work together*

This Strategy has been shaped by East Herts’ cultural sector. To fulfil our potential, all partners will need to pull together to strengthen our collective voice. The Strategy’s ambitions can be met if partners adopt one or more the following roles.

<b>Type of role</b>	<b>What this will do</b>
<p><b>Enabler role</b></p>	<p>An organisation working to support the growth of the East Herts cultural offer will:</p> <ul style="list-style-type: none"> <li>• enable and support the establishment of a cultural social infrastructure</li> <li>• build capacity throughout the sector and expand the tourism offer</li> <li>• facilitate the drafting of innovative, partnership bids for</li> </ul>



<b>Type of role</b>	<b>What this will do</b>
	<p>external funding</p> <ul style="list-style-type: none"> <li>• promote cultural festivals in the district, creating opportunities for everyone</li> <li>• gather and share evidence of the changing cultural needs and aspirations of our residents.</li> </ul>
<b>Innovator role</b>	<p>All partners acting as innovators will:</p> <ul style="list-style-type: none"> <li>• support digital activities that increase community engagement in culture</li> <li>• promote inter-generational engagement and digital inclusion</li> <li>• use social media and other marketing innovations to reach new audiences.</li> <li>• Encourage creative use of enhancements in technology</li> <li>• Implement digital assistive technology to open up access to the arts</li> </ul>
<b>Partner role</b>	<p>A proactive cultural partner will:</p> <ul style="list-style-type: none"> <li>• embed culture and the creative economy firmly within the various tiers of civic planning in the district</li> <li>• encourage closer working relationships between the private, public and community sectors</li> <li>• work with external agencies such as Hertfordshire Association of Cultural Officers and Arts Council England to share information, good practice and lever in external funding</li> <li>• link cultural objectives to other agendas, for example, health and wellbeing, and economic growth.</li> </ul>
<b>Provider role</b>	<p>In order to deliver the ambitions of this Strategy, each partner will strive to:</p> <ul style="list-style-type: none"> <li>• set an example as a provider of arts and culture that are accessible to a wide variety of service users</li> </ul>

<b>Type of role</b>	<b>What this will do</b>
	<ul style="list-style-type: none"> <li>• identify and channel financial resources and people power into cultural activities</li> <li>• be a provider of support, offer grants, advice, guidance, internships and/or other opportunities to develop the local cultural infrastructure</li> <li>• explore opportunities for wider cultural engagement</li> <li>• target increased opportunities for participation in areas of relative deprivation and/or among those most affected by disadvantage.</li> </ul>
<p><b>The council's privileged community leadership role</b></p>	<p>East Herts Council is just one participant in the district's rich and varied cultural sector. It is recognised that the council has a privileged community leadership role and so in addition to roles to be played by all partners, the council will:</p> <ul style="list-style-type: none"> <li>• provide inspiring leadership to help generate new ideas and conversations</li> <li>• work jointly with all partners to identify cultural champions, from whichever organisation or background, to maximise opportunities</li> <li>• promote funding opportunities facilitated by East Herts Council, for example, East Herts Lottery.</li> <li>• help promote cultural activities taking place within East Herts</li> <li>• work closely with organisations from all communities to promote volunteering opportunities</li> <li>• explore opportunities to use the wide range of cultural assets in East Herts to enable increased local delivery of cultural activities</li> <li>• marshal efforts to ensure the actions make a real difference.</li> </ul>

## *5. Delivery and measurement of success*

This Strategy has been adopted by East Herts Council and is supported by the East Herts Cultural Peer Support Group.

We will know the Strategy has been a success when:

- East Herts is recognised locally, regionally and farther afield as an ambitious and creative locality in the field of arts and culture and
- all East Herts residents are able to say they can access rich cultural experiences as part of their everyday lives.

The efforts and actions of all stakeholders, working together in support of our shared ambitions, are absolutely vital to the success of this Strategy so we will:

- gather and make use of evidence developed through partners' case studies and research
- together foster the continued support and engagement of stakeholders in the public, private and community sectors as key advocates for the cultural and creative industries
- clearly communicate our impact in delivering outcomes for our residents
- use our collective voice to influence decision-makers whoever and wherever they may be.
- identify cultural assets across East Herts that can enable the delivery of cultural activities closer to home
- work in partnership to secure funding to support delivery of cultural activities in East Herts

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## APPENDIX B

### List of organisations and individuals who responding to the public engagement exercise

1. Cllr Bob Deering
2. Hertford Town council
3. Personage Residents Association
4. Age UK
5. Active In
6. CDA
7. Courtyard Arts Centre
8. Margie Anderson – individual
9. Cllr. Ken Crofton
10. Hunsdon Parish Council
11. Hertford Art Society
12. Hertford Museum
13. Ware Town Council
14. Much Hadham Forge Museum
15. Hertford Choral Society
16. Scott's Grotto CIO and WAre Tourist information Point
17. Youth Create
18. Named Individual
19. Named Individual
20. Mondo Comico
21. Soroptimist Internationall Hertford and District
22. Named Individual
23. Named Individual
24. Named Individual
25. Always Bee You CIC
26. Ware Town Council (2)
27. Community Theatre Maker and Associate Artist
28. Braughing Parish Council
29. The Hertfordshire Festival of Music
30. Aston Parish Council
31. Bishop's Stortford library
32. Little Munden Village Hall & Sacombe Church
33. Peter Ruffles
34. Sawbridgeworth Memorial Hall
35. Brent Pelham & Meesden PC
36. Plus 16 responses are anonymous

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## East Herts Council Report

### Overview and Scrutiny Committee

**Date of Meeting: 2 February 2021**

**Report by: Cllr Goodeve Executive Member for Planning and Growth**

**Report title: Planning Enforcement Plan 2021**

**Ward(s) affected: All**

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### Summary

- This report sets out the approach to the updated Planning Enforcement Plan 2021.

### **RECOMMENDATION FOR Overview and Scrutiny Committee that:**

**A. The Committee reviews the new Planning Enforcement Plan 2021 (Appendix 1) prior to be it being considered by the Executive and Council for adoption.**

### **1.0 Proposal(s)**

1.1 This report explains that the Council's current adopted Planning Enforcement Plan is no longer fit for purpose due to a number of factors and sets out the approach to the updated Planning Enforcement Plan (Planning Enforcement Plan 2021 attached as Appendix 1).

### **2.0 Background**

2.1 The Council's Planning Enforcement Plan was last updated in 2016. However, fundamentally its content dates from 2010.

2.2 Under the current Enforcement Plan all reported enforcement reports are investigated. An investigation file is opened and a

site visit is undertaken.

2.3 The current plan establishes the following investigation priorities:

Urgent cases

- Unauthorised alterations to listed buildings;
- Unauthorised alteration to or demolition of buildings in Conservation Areas;
- Unauthorised development having severe and possibly irreversible impact on surroundings;
- Unauthorised travellers sites;
- Felling of protected trees;
- Development causing danger to highway users;
- Activities requiring the service of an urgent Article 4 Direction (a direction removing permitted development rights);
- Unauthorised developments having the potential to become immune from enforcement action within a period of six months.

All other cases

- All other unauthorised developments or changes of use of land and buildings.

2.4 The 2016 Enforcement Plan set out the performance targets which are summarised as:

Urgent cases

1. Acknowledge complaint and site visit on the same day or next working day as receipt or next day;
2. Within 2 working days reach a decision and if necessary commence formal action.

All other cases



1. Acknowledge complaint within 3 working days;
2. Within 15 working days undertake a site visit in 90% of cases;
3. Within 25 working days reach a decision;
4. Within 40 working days issue an enforcement notice if applicable.

### **3.0 Considerations**

- 3.1 There are a number of issues with the current operation of the planning enforcement service and the current Planning Enforcement Plan is no longer considered to be fit for purpose.
- 3.2 The Planning Enforcement function of the Council is under constant pressure and the level of work arising from reports about potential breaches of planning control far exceeds the level of staff resources available to investigate the cases coming forward.
- 3.3 In addition, work of high priority and intensive in nature such as gypsy and traveller site monitoring that has arisen during 2019 and 2020 has severely impacted on the ability to respond to other enforcement cases and increased the overall pressure.
- 3.4 Planning enforcement is not a statutory service and it is not legally incumbent on the Council to investigate all matters that are alleged as a breach of planning control.
- 3.5 The vast majority of investigations do not lead to formal enforcement action. Government advice states that an enforcement notice should only be served when it is "expedient" to do so in the public interest having regard to the level of harm caused. Enforcement action is not used merely to regularize a breach of planning control. Action should be proportionate to the breach of control and the level of harm caused.

3.6 Many potential breaches of planning control are reported by members of the public, which on investigation fall into the following categories:

- There is not a breach for example the works either do not amount to development or the works involve development that is permitted by the Town and Country Planning (General Permitted Development) Order without the need to apply for planning permission;
- The issue is not a planning matter e.g. It may be a neighbour dispute which is a civil matter (e.g. boundary disputes, anti-social behaviour etc.)
- There is a breach of planning control but planning permission would have been granted if an application had been made;
- There is a breach but this is of a minor nature and having regard to the level of harm caused and it is not “expedient” to take any further action.

#### Workload

3.7 In 2019 493 enforcement reports were received, with approximately 448 received in 2020. However, notwithstanding that a proportion of investigations are resolved without the need for formal action only 13 Enforcement Notices were served in 2019 and 19 in 2020.

3.8 Currently 458 investigations are ongoing.

3.9 From the above it is clearly evident that there is a total mismatch between the number investigations carried out annually in response to complaints and the number of breaches of planning control that are found to be sufficiently harmful to justify the service of an Enforcement Notice.

3.10 It should also be noted that the 2016 Plan prioritises enforcement investigations by category of breach rather than

by the degree of harm that a breach may potentially cause. The list of categories of breach that are to be regarded as a priority is very extensive and therefore in reality this serves little purpose in establishing priorities.

### Resources

3.10 The establishment staff resource is:

1 x (FTE) Principal Enforcement Officer

2 x (FTE) Enforcement Officers

1 x (0.5 FTE) Compliance Officer

However, due to workload pressure it has been necessary to supplement this staff resource with non-establishment staff (agency staff). The current supplement is as follows:

1 x (FTE) Enforcement Officer;

1 x Enforcement Officer (part-time as caseload requires);

1 x Administration Support Officer (15 hours per week).

3.11 Given staff resources and the high level of reports the performance targets set out in the 2016 Plan are unrealistic. Furthermore, the current targets fail to acknowledge the complexity of enforcement investigations which may involve the gathering of evidence over a considerable period of time and numerous site visits.

3.12 The service of an enforcement notice usually results in an appeal and the gathering of further evidence which adds to the ongoing workload.

## **4.0 Conclusions**

4.1 From the above the following conclusions are evident:

- The investigation priorities established in the 2016 Enforcement Plan are out of date
- The level of enforcement complaint is high;
- The majority of enforcement investigations do not result in any further action being taken by the Council either because there is no breach of planning control found, or planning permission would have been granted if an application had been made or the breach is not sufficiently harmful to justify enforcement action (i.e. “not expedient”);
- Investigation workload exceeds the available staff resource;
- The level of investigation being undertaken on matters of low importance reduces the effectiveness of the service in addressing enforcement issues causing harm;
- The investigation priorities established in the Enforcement Plan 2016 are out of date, and do not adequately relate to the potential harm resulting from breaches of planning control;
- Performance targets established in the 2016 Planning Enforcement Plan are no longer realistic and cannot be met;
- Improvements to the communications of the function can be made.

4.2 A further important consideration is the Health and Wellbeing of Enforcement Officers given their levels of workload and the environment in which they are working.

4.3 It is assessed that the Council’s current approach to planning enforcement is unsustainable.

## **5.0 Options**

5.1 The Planning Enforcement Plan 2021 (attached at Appendix 1) proposes a fundamentally different approach to Planning

Enforcement. The intention is to direct priorities and the use of staff resources to breaches of planning control that are likely to result in significant environmental harm.

### Proposed Enforcement Methodology and Priorities

- 5.2 It can be judged at the point of receipt of a planning enforcement report whether it is likely that a planning breach has occurred or if a breach has occurred it would not be expedient to take further action. In other words the breach is of a minor nature and does not result in a degree of harm wherein formal enforcement action would be “expedient” in the public interest having regard to government guidance.
- 5.3 Therefore on receipt of an enforcement report a desk top evaluation will be undertaken as to whether it is necessary to open an investigation file. This evaluation will identify the following complaints:
- Those that are not a breach of planning control;
  - Those that are trivial or minor or where it would not be expedient to investigate further.
- 5.4 In these cases the investigation will be by a desktop assessment only and reporting parties will be advised that it is the Council’s decision that the matter is either not a breach of planning control or that it would not be expedient to investigate the matter further. A record of these decisions will be kept but an enforcement investigation file will not be opened.
- 5.5 Where the initial desk top review indicates that further investigation is appropriate and justified complaints will be assessed initially according to the priorities below. These priorities are based on the level of harm likely to be caused rather than by the category of breach approach previously adopted.

#### Priority 1

Cases where the breach is likely to lead to significant harm to public amenity and matters of wider public interest and are therefore likely to result in enforcement action being taken;

### Priority 2

Cases where the breach is likely to result in a degree harm where the balance of considerations indicate that enforcement may be warranted by the service of a Notice or other informal enforcement action;

### Priority 3

Cases where the breach is likely to result in some harm to issues of acknowledged importance and where further investigation to obtain the facts is justified.

### Performance targets

- 5.6 Enforcement investigations are often complex and are likely to involve the gathering of evidence over a considerable period of time before a position has been reached to enable the service of an enforcement notice. It is therefore not possible or appropriate to establish performance targets based on the completion of investigations.
- 5.7 However, it is appropriate to establish performance targets for the administration of enforcement reports having regard to providing a good standard of customer service. The proposed performance targets set out in the 2021 Plan are as follows:
1. The Council will aim to record an enforcement report and allocate an investigation reference number to it within 5 working days of receipt and the complaint will be acknowledged.
  2. The Council will aim to determine whether it is expedient to investigate the matter and assess investigation priority within 10 working days of receipt.

3. In cases where the Council decides that it is not expedient to investigate further the Council will aim to advise the reporting party within 14 working days of receipt.
4. Investigations of cases within Priority Level 1 will commence immediately.
5. The Council will regularly update the reporting party as to the progress of an investigation.

5.8 Improvements to reporting and dialogue with Town and Parish Council's will also be explored as part of implementing the 2021 Plan.

## **7.0 Risks**

The above report recognises that the current Enforcement Plan (2016) is now out of date and needs updating in order to reflect changing priorities and resource arrangements. If an updated Planning Enforcement Plan is not adopted, it is likely that the function will continue to face operational difficulties and will not be effective.

## **8.0 Implications/Consultations**

8.1 Planning Enforcement is a confidential activity that does not involve public engagement.

### **Community Safety**

There are no specific community safety recommendations arising from the updated Planning Enforcement Plan 2021.

### **Data Protection**

All planning enforcement investigations are carried out on a confidential basis in line with GDPR. Anonymous enforcement reports will not normally be investigated.

## **Equalities**

Equalities implications must be taken into account when reaching decisions on all enforcement action.

## **Environmental Sustainability**

There are no specific environmental sustainability implications arising from the updated Planning Enforcement Plan 2021. However, environmental sustainability may be a factor in determining whether enforcement action is taken.

## **Financial**

The updated Planning Enforcement Plan 2021 does not propose any additional resources.

## **Health and Safety**

There are no specific health and safety implications arising from the updated Planning Enforcement Plan 2021. However, some enforcement investigations may involve health and safety issues and are covered by the agreed risk assessment for the Planning Service.

## **Human Resource**

There are no human resources recommendations arising from the updated Planning Enforcement Plan 2021.

## **Human Rights**

Private interests must be balanced against the wider public interest and against competing private interests. However, human rights issues must be taken into account when reaching decisions on all enforcement action. This position is outlined in the National Planning Practice Guidance and updated Planning Enforcement Plan 2021.

## **Legal**

Whilst enforcement action is discretionary there may be a risk, like with every decision that a customer may seek to challenge by way of a judicial review. . However, the courts recognise the wide discretionary power of the Council in relation to planning enforcement and have been inclined not to interfere with that discretion.



## **Specific Wards**

None.

## **9.0 Background papers, appendices and other relevant material**

### **9.1 Appendix 1 - Planning Enforcement Plan 2021**

**Contact Member** Councillor Jan Goodeve – Executive Member for Growth and Planning.

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# East Herts Council

## Planning Enforcement Plan 2021

### Procedure and Practice Statement

#### 1. What is planning enforcement?

- 1.1 Planning enforcement is the investigation of alleged breaches of planning control and, where a breach of planning control is identified, the aim is to resolve these using the most appropriate action.
- 1.2 Planning enforcement is an important service by which the Council seeks to ensure that the amenity and character of the district is maintained in the public interest.

#### 2. What is a breach of planning control?

- 2.1 A breach of planning control is defined in the Town and Country Planning Act 1990 (the 1990 Act) as “the carrying out of a development without the required planning permission, or failing to comply with any condition or limitation subject to which planning permission has been granted”.
- 2.2 There are two main types of breaches of planning control:
  - Building work or engineering operations or changes in the use of land or buildings that are carried out without the necessary planning permission;
  - Where planning permission has been granted but the development or use is not being carried out in accordance with the plans or conditions attached to the approval.
- 2.3 The Act provides time limits for immunity from enforcement action as follows: these are:
- 2.4 **The Four year rule** – the change of use of any building to use as a dwelling house becomes immune from enforcement action after the expiry of four years from the date of the breach;

- 2.5 **The Ten year rule** - all other breaches of planning control become immune from enforcement action after the expiry of ten years from the date of the breach.
- 2.6 Notwithstanding the above immunity provisions, in cases where there has been deliberate concealment of a breach of planning control a local planning authority may apply for a Planning Enforcement Order permitting them to take enforcement action out of time, provided the application to the Magistrates' Court is made within six months of the discovery of the breach of control which has been deliberately concealed.
- 2.7 A breach of planning control occurring in either of the two main ways set out above does not constitute an offence in law. The development or use may be subject to enforcement action, but it would only constitute an offence if a valid enforcement notice requiring action to be taken is not complied with.
- 2.8 However, some breaches of planning control do constitute an offence in law. These include:
- The display of advertisements other than those permitted by the Town and Country Planning (Control of Advertisements) Regulations without obtaining Advertisement Consent;
  - The carrying out of works to a listed building;
  - The carrying out of works to trees protected by a Tree Preservation Order (TPO).

### **3. The Council's approach to planning enforcement**

- 3.1 Planning law gives the local planning authority the power to pursue enforcement action. It does not place a statutory duty on the authority to do so. It is therefore a discretionary service and the Council will only take action where necessary in the public interest
- 3.2 The Council's approach to planning enforcement has regard to the National Planning Policy Framework (NPPF) which states that *'Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control'*.
- 3.3 Addressing breaches of planning control without formal enforcement action can often be the quickest and most cost effective way of achieving a satisfactory and lasting remedy. For example, a breach of control may be the

result of a genuine mistake where, once the breach is identified, the owner or occupier takes immediate action to remedy it. Furthermore in some instances formal enforcement action may not be appropriate.

3.4 In deciding whether or not to take action, the Council must consider whether enforcement action is a proportionate response to the breach of planning control and whether it is expedient to take formal action. It must consider whether the breach of planning control unacceptably affects public amenity or safety or the existing use of land or buildings meriting protection in the public interest. This means that a judgement has to be made in each case as to the seriousness of the breach and the level of any harm that it causes in planning terms.

3.5 In deciding, in each case, what is the most appropriate way forward, the Council will not usually take formal enforcement action where:

- There is a trivial or technical breach of control which causes no material harm or adverse impact on the amenity of the site or the surrounding area;
- The development is acceptable on its planning merits and planning permission would have been granted;
- The submission of a retrospective planning application is the appropriate way forward, for example, where planning conditions may need to be imposed to overcome any harm arising.

3.6 When making decisions as to whether or not to pursue enforcement action the Council must have regard to any relevant planning policies that are set out in the East Herts District Plan 2018, the National Planning Policy Framework and any other material considerations.

#### **4. Reporting an alleged breach of planning control**

4.1 Anybody may report an alleged breach of planning control by contacting us directly here: <https://www.eastherts.gov.uk/contactus>

4.2 For any report about an alleged breach of planning control the Council will ask for the following information to be provided:

- the precise location of the site or property to which the complaint relates;
- the exact nature of concern i.e. the alleged breach of planning control;

- the name, address and contact telephone number of the person making the complaint;
- the identity of the person / organisation responsible for the breach and the date and / or time the breach began (where known); and
- an indication of any harm caused/being caused.

4.3 The Council will not normally investigate anonymous reports, except where a significant degree of harm is likely to have arisen.

## **5. How are investigations carried out?**

5.1 Reports are dealt with in strict confidence, such that any personal details are not made known to any other party.

5.2 Reports are firstly subject to a review to assess whether any further investigation action is appropriate and if so its priority.

### Methodology and Priorities

5.3 The Council receives many reports about issues of a very minor nature and it may be determined at the outset that there is no harm arising or that the degree of harm likely to be caused is not of any significance. Reports are also received about development that is permitted by the Town and Country Planning (General Permitted Development) Order and about matters that fall outside the control of the Council. In such cases in accordance with the Council's enforcement priorities it may be determined that it would not be expedient to investigate the matter further.

5.4 In most circumstances it can be judged at the point of receipt of a planning enforcement report whether it is likely that a planning breach has occurred or if a breach has occurred it would not be "expedient" to take further action. In other words the breach is of a minor nature and does not result in a degree of harm wherein formal enforcement action would be "expedient" in the public interest having regard to government guidance.

5.5 Therefore on receipt of a report a desk top evaluation will be undertaken as to whether it is necessary to open an investigation file.

5.6 This evaluation will identify:

- Those reports which are judged to be not a breach of planning control; and
- Those that are trivial or minor or where it would not be expedient to investigate further.

5.7 In these cases the investigation will be by a desktop assessment only and the individual submitting the report will be advised that it is the Council's decision that the matter is either not a breach of planning control or that it would not be expedient to investigate the matter further. A record of these decisions will be kept but an enforcement investigation file will not be opened.

5.8 Where the initial desk top review indicates that further investigation is appropriate and justified it will be assessed initially according to the priorities below:

**Priority 1** – cases where the breach is likely to lead to significant harm to public amenity and matters of wider public interest and are therefore likely to result in enforcement action being taken;

**Priority 2** – cases where the breach is likely to result in a degree harm where the balance of considerations indicate that enforcement may be warranted by the service of a Notice or other informal enforcement action;

**Priority 3** – cases where the breach is likely to result in some harm to issues of acknowledged importance and where further investigation to obtain the facts is justified.

5.9 Any investigation will usually involve a visit to the site as well as more desk based investigations such as looking into the planning history of the site. The investigating officer will also contact the individual who made the report and the person(s) against whom the report has been made, in order to gather evidence relating to the alleged breach.

## **6. Performance targets**

6.1 The Council will aim to record a report and allocate an investigation reference number to it within 5 working days of receipt and the report will be acknowledged.

6.2 The Council will aim to determine whether it is expedient to investigate the matter and assess investigation priority within 10 working days of receipt.

6.3 In cases where the Council decides that it is not expedient to investigate further the Council will aim to advise the complainant within 14 working days of receipt.

6.4 Investigations of cases within Priority Level 1 will commence immediately.

6.5 It is not possible to set target timescales for the completion of investigations as all enforcement cases have different circumstances and require differing degrees of investigation. Some investigations are very complex and these will take a considerable time to complete. However, the Council will keep the individual who made the report advised in the case of any significant changes or progress.

## **7. Types of enforcement action**

7.1 In many cases breaches of planning control may be resolved without the need to serve an Enforcement Notice through discussion with the owner and voluntary compliance with the requirements of the Council.

7.2 Formal enforcement action may take several forms as follows:

Breach Of Condition Notice - Where there is a breach of a condition on a planning permission. This will set out the steps required to be taken to comply with the condition and the time periods (not less than 28 days).

Enforcement Notice/Listed Building Enforcement Notice - An Enforcement Notice sets out the breach of planning control, the steps that must be taken to remedy the breach, the planning reasons for taking the action and the time period for compliance.

Stop Notice - Where an Enforcement Notice has been served a Stop Notice may also be issued at the same time to stop the use or the building works continuing. However, this power is only be used in extreme cases where the development is causing immediate, unacceptable and irreparable harm.

Section 215 Notice (the 1990 Act) - this may be used as a remedy where the untidy state or appearance of land is adversely affecting public amenity.

Temporary Stop Notice - This may be used to immediately stop works thought likely to be causing significant harm pending the consideration or preparation of other formal action. A Temporary Stop Notice remains in effect for 28 days following service.

Injunction - In extreme cases, for example where normal enforcement procedure has been ignored or where it can be demonstrated that it is likely



to be ignored the Council's may apply to the courts for an injunction to prevent further works or require some form of action.

## **8. Unauthorised advertisements**

- 8.1 The posting of unauthorised advertisement is an offence which may be prosecuted through the courts.
- 8.2 The posting of advertisements within the public realm is an ongoing issue within the District.
- 8.3 Such advertising includes banners and fly posts advertising companies, services and events etc. and estate agents boards that are not related to the sale of properties but advertising events and sponsorship of events etc.
- 8.4 Such advertising is anti-social, harmful to amenity and in many cases prejudicial to highway safety and the Council operates a zero tolerance approach. Such signage is likely to be removed or be requested to be removed and the Council will consider the prosecution of persistent offenders.

## **9. Appeals**

- 9.1 There is a right of appeal against the issue of an Enforcement Notice and a Stop Notice. Appeals are determined by a Planning Inspector appointed by the Secretary of State and they are processed by the Planning Inspectorate.
- 9.2 The Council has no control over the timescales for the determination of an appeal.
- 9.3 There is no right of appeal to a Breach of Condition Notice and non-compliance may be pursued through the courts.
- 9.4 As stated above planning enforcement is a discretionary function and the Council is not duty bound to take enforcement action. The Council will assess the harm arising from a breach of planning control and determine the action to be taken. Planning legislation does not grant a right of appeal to third parties (the complainant(s)) against these decisions and the decision taken by the Council is therefore final.

## **10. Expectations**

**Outcomes you can expect if you are the owner of a site under investigation**

- 10.1 The Council will seek to ensure that all matters in relation to the enquiry are dealt with professionally, politely and efficiently. It will be necessary for Council Officers to attend the site. At all times Officer approach should be polite and respectful. It is often the case that Council Officers will visit without a pre-arrangement, however, they will make themselves known on arrival at a site if it possible to do so. If the time of the visit is not convenient to you, they will seek to arrange a mutually acceptable time to visit. Officers will be able to advise on the purpose of their visit and what action the Council can take and what options are available to you as Owner. They can provide advice about the planning and enforcement process, but if you require specific planning advice, this should be sought independently. The Council will endeavour to deal with your case quickly, ensuring that uncertainty is removed. However, we will need your co-operation and ask that, in all circumstances, you provide any information Officers request and answer questions they put to you.
- 10.2 Owners are advised that Planning Legislation provides that Council Officers have a right of access to land to investigate breaches of planning control.

### **Outcomes you can expect if you are making a report on an alleged breach**

- 10.3 On receipt of your report the Council will review the information that you have provided and determine what action should be taken going forward in accordance with the methodology set out above. The Council will seek to ensure that all matters in relation to your report are dealt with professionally, politely and efficiently.
- 10.4 The Council will undertake to keep you updated and advise when any progress, actions or decisions are undertaken. The Council's preference is to be able to contact parties by email. This makes the contact process recordable. Resources are not available to maintain contact and provide updates in other circumstances. However, calls can be made to Officers at any time during normal office hours to enquire about progress in any particular case. If any party is unable to provide an email contact address, please contact the Enforcement service five weeks after the matter was first raised. It should be possible at that time to provide information on any action to be taken, if none is to be taken or if it has not been possible to reach a decision.

## **11. Confidentiality**

- 11.1 Ongoing live enforcement investigations are carried out in confidence. The Council will not pass on the names or any other information relating to the parties involved.

- 11.2 The Council will not investigate anonymous reports unless the potential harm justifies further investigation. However, if you are concerned about confidentiality you may raise a potential planning enforcement issue with the Council via either your Ward Councillor or the Town/Parish Council.
- 11.3 Once an investigation has been completed and the case file has been closed legislation provides that it is public information, unless the content is exempt from Freedom of Information regulations.

## **12. Human Rights issues**

- 12.1 The European Convention on Human Rights (ECHR) was brought into English law via the Human Rights Act 1998 (HRA) with effect from October 2000. The HRA introduces an obligation on the Council to act consistently with the ECHR. There are 3 Convention Rights likely to be most relevant to planning decisions:
- Article 1 of the First Protocol - Protection of Property
  - Article 6 - Right to a Fair Hearing
  - Article 8 - Right to respect for Private and Family Life
- 12.2 It is important to note that these types of right are not unlimited. Although in accordance with the concept of 'proportionality' any interference with these rights must be sanctioned by law, in this case the Town and Country Planning Act 1990 and must go no further than necessary.
- 12.3 Essentially, private interests must be balanced against the wider public interest and against competing private interests. However, human rights issues must be taken into account when reaching decisions on all planning applications and enforcement action.

## **13. What happens if you are not happy with the Council's service**

- 13.1 The Council aims to provide an efficient and effective service for everyone it deals with and to maintain good relations with those who use its services.
- 13.2 If you feel that there has been a failure of service you may draw your concerns to the Council.

- 13.3 In the first instance you may wish to discuss your concerns with the service manager. Please telephone 01279 655261 and ask for the Planning Support Team who will advise you as to the contact details.
- 13.4 If you remain dissatisfied the Council provides a Corporate Complaints Procedure details of which are available on the Council's web site:  
<https://www.eastherts.gov.uk/contactus/comments-compliments-and-complaints>
- 13.5 Please be advised that it is the purpose of the Council's Corporate Complaints procedure to investigate and respond to failures of process and customer service. It is not the purpose of the procedure to review properly taken planning decisions or re-visit enforcement investigations where the Council has determined its position.

#### **14. Contact Details**

- 14.1 If you want to inform us about a potential breach of planning control that you want the Council to investigate, please contact us:

Online: <https://www.eastherts.gov.uk/contactus>

By post:

Development Management - Planning Enforcement Team  
East Herts Council  
Wallfields  
Pegs Lane  
HERTFORD  
SG13 8EQ

By phone: 01279 655261 (ask for the Planning Enforcement Team)

By e-mail: [planning@eastherts.gov.uk](mailto:planning@eastherts.gov.uk)

## East Herts Council Report

### Overview and Scrutiny Committee

**Date of Meeting:** 2 February 2021

**Report by:** Scrutiny Officer

**Report title:** Overview and Scrutiny Committee – Draft Work Programme

**Ward(s) affected:** All

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### Summary

- This report reviews actions included in the committee's existing Work Programme and seeks Members' views on any proposed amendments to the ongoing Work Programme.

### **RECOMMENDATION FOR OVERVIEW AND SCRUTINY COMMITTEE, that:**

**(A) The proposed Work Programme, included at Appendix A, be approved.**

#### **1.0 Proposal(s)**

1.1 Items previously required, identified or suggested for the Overview and Scrutiny (OS) Work Programme are as set out in **Appendix A**. The Appendix is now presented as a consolidated report to include those issues for consideration by Audit and Governance Committee. It was felt that consolidating the work of both Committees in one report would give all Members of both committees a better perspective from the viewpoint of scrutiny.

1.2 Scrutiny committees have the power of influence and are

entitled to review and scrutinise the functions of the Council's services and the decisions of the Executive. The Committee serves as a 'critical friend' and is not a decision-making body but can make recommendations to the Executive which must respond formally to recommendations within a given timeframe.

## **2.0 Background**

- 2.1 The draft agenda for 2020/21 meetings of Overview and Scrutiny Committee and Audit and Governance Committee is shown in **Appendix A**. The timing of some items shown may have to change depending on availability of essential data (e.g. from central government) external sources and officers.
- 2.2 Members are reminded that for a topic to be valid for Scrutiny, it needs to be relevant to the work of the council and impact on a number of residents / or the wider area. In addition, there needs to be evidence, whether readily quantifiable or anecdotal, that this is an issue requiring investigation.
- 2.1 Members are welcome to submit a scrutiny proposal at any time by completing a Scrutiny Proposal Form (Available from the Scrutiny Officer) which will provide officers with sufficient information to assess if it is appropriate for Scrutiny and to ensure their specific questions are addressed. The Scrutiny Officer will then liaise with officers and the Scrutiny Chairman to consider the best way to address the subject and complete a scoping document. Members should note however, that it is not open to either Audit and Governance or Overview and Scrutiny Committee to revisit a decision taken by Council to determine whether it is still a sound one, as the decision has already been taken.
- 2.2 Members are also asked whether there is any training relevant to scrutiny or to the function and remit of the OS Committee that they wish to suggest.

2.3 Members are asked to note that while the agenda for this meeting and the draft work programme is limited in terms of items for consideration, the Chairman and Vice Chairman of both O&S and A&G meet quarterly with the Leader and Deputy Leader to review both work programmes in the context of the Council's Forward Plan. Members are encouraged to review the Forward Plan which contains future items for consideration and decision by the Executive. The Centre for Governance and Scrutiny recommend that getting involved early in the review and decision making process is good practice and aids good scrutiny.

2.4 Appendix A has a number of reports for consideration "Looking Forward to 2021". A further update following this meeting will be provided by the Scrutiny Officer.

### **3.0 Reason(s)**

4.1 This report provides an update on the current situation in relation to issues raised by Members.

### **4.0 Options**

5.1 The Work Programme will be kept under review by the committee throughout the coming year.

### **5.0 Risks**

6.1 The establishment of an Overview and Scrutiny Committee is enshrined in the Local Government Act 2000 (section 9). The 2000 Act obliges local authorities to adopt political management systems with a separate Executive. Various sub sections (of the 2000 Act), set out the powers and duties for Overview and Scrutiny Committees including the right to investigate and make recommendations on anything which is the responsibility of the Executive. Legislative provisions can also be found in the Localism Act 2011 (Schedule 2) with options to retain or re-adopt a "committee system" (section

9B).

6.2 Potential risks arise for the council if policies and strategies are developed and/or enacted without sufficient scrutiny. Approval of an updated Work Programme contributes to the mitigation of this risk by ensuring key activities of the council are scrutinised.

## **6.0 Implications/Consultations**

7.1 Scrutiny is an important part of the local democratic process and represents the interests of residents. It holds the Executive to account on behalf of residents and helps review and improve services and functions run by the Council and its local partners.

7.2 The proposed Work Programme has implications for Members' time and the resources of the council devoted to scrutinizing the issues included.

## **Community Safety**

No

## **Data Protection**

No

## **Equalities**

Yes – scrutiny of the services provided eg by registered providers of social housing will investigate how some of the most vulnerable people in the district, including those with protected characteristics, receive housing services.

## **Environmental Sustainability**

Yes – although not subject to a further Task and Finish Group, the proposed Work Programme envisages the Overview and Scrutiny Committee receiving reports on the progress of the council's Environmental and Climate Forum.



**Financial**

No

**Health and Safety**

No

**Human Resources**

No

**Human Rights**

No

**Legal**

Yes - scrutiny is enshrined in Statute (the Local Government Act 2000) as amended by the Localism Act 2011.

**Specific Wards**

No

**8.0 Background papers, appendices and other relevant material****8.1 Appendix A – Draft Work Programme**

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[James.ellis@eastherts.gov.uk](mailto:James.ellis@eastherts.gov.uk)

**Report Author:** Lorraine Blackburn, Scrutiny Officer, Tel: 01279 502172.  
[lorraine.blackburn@eastherts.gov.uk](mailto:lorraine.blackburn@eastherts.gov.uk)

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**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**

*(this is a working document and is subject to regular amendment)*

<b>Meeting Date</b> <b>Overview and scrutiny</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>	<b>Meeting Date</b> <b>Audit and Governance</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>
<b>15 September 2020</b>	<p>Update on the progress in relation to the Climate Change Action Plan and progress in relation to the 2030 Carbon neutrality aspirations.</p> <p><i>With the agreement of Members at the last (June 2020) meeting, updates would be presented prior to each meeting.</i></p>	<p>Executive Member for Environmental sustainability and David Thorogood</p>	<b>22 September 2020</b>	<p>External Audit Update</p>	<p>Suresh Patel, Ernst Young</p>

**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**  
*(this is a working document and is subject to regular amendment)*

<b>Meeting Date</b> <b>Overview and scrutiny</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>	<b>Meeting Date</b> <b>Audit and Governance</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>
	Social Housing – Report of the Task and Finish Group (see note below).	Head of Housing and Health		SIAS Update	Simon Martin SIAS Audit Manager
	Large Scale Projects – Project Management in terms of Expenditure Vs Budget, delivery timescales  <i>Members' briefing provided on 16 July on Hertford Theatre.</i>	Respective Project Managers  .		SAFs Update	Nick Jennings Head of Service (SAFs)

**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**  
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<b>Meeting Date</b> <b>Overview and scrutiny</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>	<b>Meeting Date</b> <b>Audit and Governance</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>
	<i>Request by Councillor Goldspink for an update on Hartham Leisure</i>				
	Policy for Enforcing Standards for Private Sector Landlords	Head of Housing and Health		Strategic Risk Register Quarterly Update	Graham Mulley Risk Assurance Manager
	Council Tax Reduction Scheme 2021/22	Head of Revenues and Benefits Shared Services		Annual Governance Statement	Head of Strategic Finance and property
				Statement of Accounts 2019/20	Head of Strategic Finance and Property
	Work Programme	Lorraine Blackburn,		Financial Monitoring	Head of Strategic Finance and Property

**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**  
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<b>Meeting Date</b> <b>Overview and scrutiny</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>	<b>Meeting Date</b> <b>Audit and Governance</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>
		Scrutiny Officer		Quarter 1	
<b>3 Nov 2020</b>	How the Council reacted to the Corona Virus	Invitation to the Leader and CE to present an interim report	<b>17 November 2020</b>	Section 106 Agreements: a) review of policy and also of the receipt and b) the utilisation of funds received	Helen Standen Dep CE and Jackie Bruce Infrastructure and Contributions Spend Manager
	Work Programme	Lorraine Blackburn, Scrutiny Officer		Corporate Budget Monitoring Quarter 2	Ben Wood, Head of Communications Strategy and Policy and Steven Linett Head of Strategic Finance
				Treasury Management	Head of Strategic Finance

**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**  
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<b>Meeting Date</b> <b>Overview and scrutiny</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>	<b>Meeting Date</b> <b>Audit and Governance</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>
				Outturn 2019/20 and Treasury Management Mid-Year Review 2020/21	
	Annual Complaints Report	Head of Communications, Strategy and Policy		Budget 2021/22 and MTFP Plan 2021-2024 Proposals	Head of Strategic Finance and Property
	Performance Report Quarters 1 and 2	Head of Communications Strategy and Policy		Standards Update	James Ellis Head of Legal and Democratic Services
	Revenues and Benefits Annual Report	Head of Revenues and Benefits Shared Services		Strategic Risk Monitoring 2020/21 Quarter 2	Graham Mully, Insurance and Risk Business Advisor

**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**  
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<b>Meeting Date</b> <b>Overview and scrutiny</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>	<b>Meeting Date</b> <b>Audit and Governance</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>
	Environmental Climate Change	Head of Housing and Health			
<b>8 Dec 2020</b>				Work Programme	Lorraine Blackburn, Scrutiny Officer
	Presentation by the PCC Mr David Lloyd and Cl Orton			GDPR and Data Retention	James Ellis Head of Legal and Democratic Services
				Members' Constitution Review Group	James Ellis Head of Legal and Democratic Services
<b>PLEASE NOTE THAT THERE WILL BE A JOINT MEETING OF OVERVIEW AND SCRUTINY AND AUDIT AND GOVERNANCE COMMITTEES ON A DATE TO BE CONFIRMED FOLLOWED BY THE USUAL MEETING OF A&amp;G</b>					
<b>2 February 2021</b>			<b>Date to be confirmed</b>	*Budget 2021/22 and Medium Term Financial Plan 2021-24-	Steven Linnett Head of Strategic Finance and property
	Cultural Strategy	Jonathan Geall		SIAS Internal	Simon Martin



**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**

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<b>Meeting Date</b> <b>Overview and scrutiny</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>	<b>Meeting Date</b> <b>Audit and Governance</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>
		Head of Housing and Health		Audit Plan Progress Report	
	Planning Enforcement Plan`	Sara Saunders, Head of Planning		External Auditor's Annual Audit Letter	EY
<b>23 March 2021</b>	Draft Annual Scrutiny Report 2019/20	James Ellis / Head of Legal and Democratic Services and Lorraine Blackburn, Scrutiny Officer		Investment strategy 2021/22	Steven Linnett Head of Strategic Finance and property
	Draft Annual Scrutiny Report 2020/21	James Ellis / Head of Legal and Democratic Services and Lorraine		Capital strategy and Minimum Revenue Provision Strategy	Steven Linnett Head of Strategic Finance and property

**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**  
*(this is a working document and is subject to regular amendment)*

<b>Meeting Date</b> <b>Overview and scrutiny</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>	<b>Meeting Date</b> <b>Audit and Governance</b>	<b>Topic and Notes</b>	<b>Lead Member and Officer</b>
		Blackburn, Scrutiny Officer			
	Review of Scrutiny – Centre for Governance and Scrutiny (CfGS)	James Ellis / Head of Legal and Democratic Services and Lorraine Blackburn, Scrutiny Officer	<b>16 March 2021</b>		

**Executive Responses to recommendations made by O&S Committee:**

Parking Recommendations – Report of the Task and Finish group  
 (Considered by Executive on 27 November 2020) – Members updated via Chairman’s Announcements  
 February 2021

Affordable Housing Research - Report and O&S Recommendations – (Considered by Executive on 5 January  
 2021) Members updated via Chairman’s Announcements February 2021

**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**  
*(this is a working document and is subject to regular amendment)*

**Updates**

<b>Overview and Scrutiny Committee</b>	<b>Audit and Governance</b>
	<p>Complaints lodged with the Monitoring Officer (Head of Democratic and Legal Support Services). When there are updates.</p> <p>Changes to Constitution Review Update (Head of Democratic and Legal Support Services): When there are updates.</p>

**Looking Forward - End of 2020 to 2021**

<b>Overview and Scrutiny Committee</b>	<b>Due date</b>	<b>Audit and Governance</b>	<b>Due Date</b>
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**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**  
*(this is a working document and is subject to regular amendment)*

<b>Overview and Scrutiny Committee</b>	<b>Due date</b>	<b>Audit and Governance</b>	<b>Due Date</b>
RIPA and Use of Social Media - report back (Head of Legal and Democratic Services)	June 2021	Quarterly Corporate Budget Monitor – Quarter 3 December 2020	30 March 2021 (executive) Due to the timetable of meetings it is not possible to produce the report and send it to an Audit & Governance Committee meeting prior to consideration by Executive. The report will be circulated to Members of the Committee when ready and views sort and reported to Executive.
Environmental Sustainability Action Plan (Agreed to report twice a year)	May 2021 November 2021	Standards Model Code	May 2021
Carbon Reduction report	November 2021	GDPR and data retention	May 2021
Corporate Plan Regular	May 2021	Section 106 Contributions	November 2021

**Overview and Scrutiny Committee and Audit and Governance Committee - Consolidated Work Programmes 2020/21**  
*(this is a working document and is subject to regular amendment)*

<b>Overview and Scrutiny Committee</b>	<b>Due date</b>	<b>Audit and Governance</b>	<b>Due Date</b>
Updates to OS		(report annually)	

**Notes:**

*Members will note the new format of the Consolidated Work Programme. It was felt that by combining both work programmes might provide Members with a better insight into the issues to be considered by both committees and respective timeframes and so aid the process of scrutiny. Additionally, Members should note that the Chairman and Vice Chairman of both Committees are now meeting quarterly with the Leader and Deputy Leader to consider both work programmes in the context of the Council's Forward Plan to facilitate better scrutiny and review where necessary.*

*Members are actively encouraged to review the Council's Forward Plan which details the decisions the Executive (and Council) will be taking over the next three months. The Centre for Governance and scrutiny has recommended that early involvement with the decision making process (and before decisions are taken) is good practice. Only decisions which are taken by the executive can be called in.*

[Latest Forward Plan](#)

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