

Grading

Job Description and Employee Specification

<u>Job title:</u> Planning Enforcement Officer	<u>Service area:</u> Communities
<u>Post number:</u>	<u>Division:</u> Public Protection
<u>Grade:</u> 8	<u>Section/team:</u> Planning Enforcement
<u>Overall purpose of job:</u> To provide an effective planning enforcement service so that development complies with the requirements of the relevant legislation, including planning acts and good practice. Investigating, pursuing and resolving breaches of planning controls, some of which are complex and contentious in nature, and by so doing, securing and delivering appropriate outcomes. Post holders will be expected to be flexible in undertaking the duties and responsibilities attached to their post and may be asked to perform other duties, which reasonably correspond to the general character of the post and are commensurate with its level of responsibility.	
<u>Main responsibilities:</u> 1. Undertake research and carry out investigations, including site visits, into complaints and all types of alleged breaches of planning control in accordance with statutes, Council policy and service plan targets. Obtain court warrants of entry, take statements under caution in line with PACE, RIPA and CPIA legislation and gather appropriate evidence in order to take formal action in court. 2. Ensure the council meets its statutory duties in relation to the following (but not limited to just the following) – • Heritage and conservation • Sustainable development • Bio-diversity Net Gain (10%) • Tree Preservation 3. Investigate and take appropriate action in respect of incoming complaints, which could be complex and contentious, e.g. prepare case histories, background information and Issue correspondence in relation to current cases across the service on behalf of self and colleagues. 4. Monitor compliance with conditions of planning permissions and enforcement/legal notices whilst maintaining familiarity with relevant legislation, procedures and practice and ensure such changes are considered when carrying out the duties of the post.	

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5. Prepare and submit reports and recommend appropriate formal/legal action on planning enforcement matters to the Development Management Lead and management.
6. Ensure effective communication to achieve relevant outcomes.
7. Investigate unlawful acts under relevant planning legislation. Draft and serve a range of formal enforcement notices, breach of condition and other planning notices.
8. Serve formal notices and summons in accordance with statutory requirements both within and outside of the local authority boundary.
9. Make recommendations and instruct legal services in connection with prosecutions and the preparation of all court paperwork in connection with planning prosecutions.
10. Prepare and submit documentation in connection with enforcement appeals, hearings and public inquiries to enable them to be processed within statutory timetables and to attend and provide evidence at court hearings, trials, enforcement appeal hearings and public inquiries.
11. Collaborate with wider council colleagues in investigating or taking formal action over alleged breaches of regulations or other controls.
12. Achieve the performance standards and targets set out in the service plan and contribute to future development of performance indicators.
13. Source and procure works in default costings for complex cases where other enforcement options have been exhausted.
14. Provide information and advice to elected members, developers, other service areas and the public on enforcement procedures and policy ensuring accurate records and legal registers of work undertaken are maintained.
15. Provide evidence in relation to enforcement based Freedom of Information /EIR/DPA requests.
16. Oversight of the work of the Planning Enforcement Assistant and the allocation of work.
17. To maintain professional competence through knowledge of new legislation and guidance relating to the enforcement of planning controls and other planning matters

Knowledge, skills and experience:

Qualifications:

- Educated to degree standard or equivalent demonstrable standard of education in a relevant field.
- Continual professional development in relation to Development Management/Enforcement.

Experience:

- Experience of court proceedings and law enforcement investigative work.
- Experience of managing challenging and complex situations and problems.
- Experience of managing a wide range of planning enforcement cases.
- Experience of using computer software to create reports, presentations and documentation.

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- Relevant professional experience in a Development Management setting and/or in law enforcement investigative work.

Knowledge & Skills:

- Detailed knowledge of relevant planning laws including but not limited to: The Town & Country Planning Act 1990 (particularly Section 215 and 171), General Permitted Development (England) Order 2015, Advertisement Regulations, Tree Preservation Orders, Planning (Listed Building & Conservation Areas) Act 1990, Hedgerow Regulations & The Environment Act 2021.
- Working knowledge of the processes of PACE, CPIA and RIPA requirements.
- Good verbal communication skills, including strong negotiation and persuasiveness, tact and diplomacy skills to resolve diverse and complex tasks at short notice.
- Accuracy and attention to detail.
- Good written communication skills with the ability to prepare reasoned cases to justify a course of action.
- Ability to use, analyse, and interpret complicated and complex information and data to understand and interpret maps, plans and technical information.
- Ability to apply analytical, logical, creative and systematic thought processes to develop practical and creative solutions to complex and contentious issues in a range of cases.
- Ability to allocate work and supervise staff.
- Ability to manage conflicting priorities and changing deadlines for completion of tasks on a regular basis.

Creativity and innovation:

- Work innovatively and use new thinking in order to provide unusual/unique solutions to resolve problems and conflicts of interest in a range of cases, including ones with political sensitivity, contentiousness or complexity and often at short notice.
- Contribute to the development of the electronic systems used for reporting breaches of planning control and use of IT/web-based applications for the reporting and recording of complaints.
- Creatively interrogate a variety of databases and be able to extract information from databases to inform/guide future actions.
- Daily requirement to manage and prioritise own workload which includes a complex and demanding range of cases.
- Research skills requiring case by case innovation, ingenuity and initiative to establish facts which need to be robust in connection with possible prosecutions and legal action taken by the authority.
- Exercise discretion daily in connection with often complex and sensitive investigations and deciding when and how to undertake duties in a range of cases where there are a number of possible solutions and outcomes.
- Produce and utilise complex, sensitive and contentious information to generate accurate, clear and correct minutes, reports, appeal statements,

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legal documentation, court bundles, notes and records whilst originating standard and unique correspondence.

Contacts and relationships:

Due to the reputational and financial risk and complexity that can be involved, contacts can often involve contentious issues that require a high level of tact and diplomacy in addition to high level negotiation skills. The impact of the outcome of negotiations and securing service delivery can have significant consequences for service users and service.

- Responding to and providing advice where required to elected members/MPs, Senior Leadership Team, developers, other internal departments, the general public and external providers about complainants, procedures and potential courses of enforcement action and their consequences.
- Daily - Head of Service/Lead Officer – performance management, review of workload, professional support, oversight and discussion of cases, 1:1s, identifying training and development needs.
- Daily - Lead Officer for Planning/Senior Planning Officers – as required for discussion for cases and direction, including those that could have significant reputational and financial implications on the service and the council.
- Daily - Other enforcement team members – supporting, advising, exchanging information and knowledge, communicating and sharing workload
- Daily - Members of the public and developers – receiving information, providing advice, investigating complaints, updating on current actions and consequences.
- Weekly - Parish Councils - receiving reports/information and advising on action/procedures.
- Frequently - Councillors/MP – receiving reports/information and advising on action/progress and consequences of cases, whilst maintaining the necessary confidentiality and GDPR requirements.
- Frequently - Government Departments, statutory bodies and external partner agencies –providing/receiving information, advice and support, handling appeals, investigating breaches of control and determining and pursuing the correct course of legal action required in a range of complex cases.

Decision making:

Decisions made could have a significant impact both financially and reputationally on the public and the council, for instance the service of enforcement notices requiring development to be removed, stopped or uses discontinued may result in damages and costs to the authority.

- Assess complaints received regarding development and other works/issues in accordance with statutory regulations.

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- Determining the next course of action to secure compliance e.g. through notices, works in default, and/or prosecution/formal caution in line with the service enforcement policy.
- Ensuring all work carried out meets statutory obligations and adheres to the council's policies and procedures.
- Identify and recommend formal action by the Council and determining expediency of level of enforcement action to be pursued in cases which could have a significant impact both financially and reputationally on the authority and service users
- Decide on the most appropriate advice and response for elected members/MPs/Parish councillors/members of the public on planning enforcement and possible consequences of not complying with legislation.
- Recommendations and decisions can have significant implications on the ability of the Council to legally pursue matters.
- Using autonomous discretion, decide on whether it is appropriate to caution in accordance with PACE and to investigate cases using knowledge of CPIA and RIPA
- Making daily judgements and risk assessments on cases, including complex ones which will inevitably lead to some conflict.
- Daily management of own workload and priorities in conjunction with the other planning enforcement officers to meet necessary deadlines and service plan targets.
- Overseeing works in default, verifying invoices and initiating debt recovery action.

Responsibility for resources:**Financial resources:**

- None

Physical resources:

- Computer / laptop/mobile (£850)
- PPE (Boots, high vis, etc) - £100
- Office/homeworking – 50%; site work – 50%.

WORK ENVIRONMENT**Work demands:**

- An individual must prioritise their own workload, which will frequently fluctuate and change. There is pressure to meet statutory and externally imposed deadlines and time limits in which the proactive aspects of the job are carried out.
- Routine duties are always liable to be interrupted by unforeseen demands on the service and the post holder is responsible for rearranging work patterns to meet emergency situations where these arise.

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- The external environment, its impact on the public and the frequently competing demands of commercial organisations/individuals will dictate priorities and consequently the post holder will be required to balance complex and conflicting priorities. The individual will need to continually risk assess their workload to ensure they are assigning the appropriate response.
- Frequently interrupted by telephone calls.
- Constantly changing deadlines in response to external influences e.g. Planning Inspectorate, HM Courts, new government legislation, policy context, political sensitivity or other guidance.

Physical demands:

- Normal physical demands when in office/homeworking.
- Site work (meetings and inspections etc) – can involve walking over rough terrain, overgrown and untidy land in all weathers, accessing confined spaces and working at height, sometimes in awkward positions.

Working conditions:

- Normal working conditions when in office/homeworking.
- Site work (meetings and inspections etc) - can involve walking over rough terrain, overgrown land in all weathers, accessing confined spaces and working at height sometimes in awkward positions. On occasions, unpleasant or disagreeable surroundings and people.

Work context:

- The job involves regular lone working. Use of lone working system to track lone working activity.
- Dealing with people who have made complaints or who are the subject of complaints, or who are carrying out development without permission may be awkward, confrontational or challenging and create difficult conditions; with the need to enter people's homes, verbal abuse, threats or the use of physical violence are possible on a daily basis. There is a need to be able to recognise the symptoms of this and act accordingly, in line with the personal safety/lone working policy and best practice advice and risk assessments.
- Personal Protective Safety clothing/body armour/body cameras are provided for site work.
- Some risk when accessing building sites, rough ground, and confined spaces and working at height.

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Position in organisation:

Indicate how many staff the post is directly accountable for:

1

Are posts in more than one location? Yes ☐ No ☒

Is this at the same site? Are the posts managed highly mobile?

Is the supervision/management shared with another post in the structure?

Yes ☐ No ☐

Please indicate which post(s) Shared with 2 other Planning Enforcement Officers.



Job Description Version Control

Date evaluated	26.9.24
Date updated	26.9.24
Updated by (manager name)	Liz Webster
Checked by (HR name)	Jo Parker

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ESSENTIAL CRITERIA	ASSESSED THROUGH:
Knowledge, Skills and Experience	Application form (follow up at interview)
• Experience of court proceedings and law enforcement investigative work • Experience of managing challenging and complex situations and problems. • Experience of managing a wide range of planning enforcement cases • Experience of using computer software to create reports, presentations and documentation. • Good verbal communication skills, including strong negotiation and persuasiveness, tact and diplomacy skills to resolve diverse and complex tasks at short notice. • Accuracy and attention to detail. • Good written communication skills with the ability to prepare reasoned cases to justify a course of action. • Ability to use, analyse, and interpret complicated and complex information and data to understand and interpret maps, plans and technical information. • Ability to apply analytical, logical, creative and systematic thought processes to develop practical and creative solutions to complex and contentious issues in a range of cases. • Ability to allocate work and supervise staff. • Ability to manage conflicting priorities and changing deadlines for completion of tasks on a regular basis. • Detailed knowledge of relevant planning laws including but not limited to: The Town & Country Planning Act 1990 (particularly Section 215 and 171), General Permitted Development (England) Order 2015, Advertisement Regulations, Tree Preservation Orders, Planning (Listed Building & Conservation Areas) Act 1990, Hedgerow Regulations & The Environment Act 2021. • Working knowledge of the processes of PACE, CPIA and RIPA requirements • Relevant professional experience in a Development Management setting and/or in law enforcement investigative work	
Knowledge, Skills and Experience	Interview
• Experience of court proceedings and law enforcement investigative work • Experience of managing challenging and complex situations and problems. • Experience of managing a wide range of planning enforcement cases	

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- Working knowledge of the processes of PACE, CPIA and RIPA requirements
- Relevant professional experience in a Development Management setting and/or in law enforcement investigative work

Education, Training and Qualifications	Original documents
• Educated to degree standard or equivalent demonstrable standard of education in a relevant field. • Continual professional development in relation to Development Management/Enforcement.	
Working Arrangements	Interview
• Able to transport self in/out and around North Lincolnshire in a timely manner.	

DESIRABLE CRITERIA	ASSESSED THROUGH:
Knowledge, Skills and Experience	Application form (follow up at interview)
•	
Knowledge, Skills and Experience	Interview
•	
Education, Training and Qualifications	Original documents
•	

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Working Arrangements	Interview
•	

THE POST IS SUBJECT TO:	
Disclosure of convictions under the Rehabilitation of Offenders (Exemption) Act 1974	
Yes ✓	No ☐
Political restriction	
Yes ☐	No ✓
The ability to speak fluent English under the Immigration Act 2016	
Yes ✓	No ☐

• Version Control	
Author	HR Policy Team
Status	V0.1
Date approved	
Last updated	