



Terms of Reference (Draft)

Client:	Stroud District Council
Audit:	Planning Review (Enforcement)
Auditor(s):	Sara Causon – Principal Auditor (Activity Manager) Duncan Edwards – Senior Auditor (Activity Lead) Paul Jones – Senior Auditor
Our Ref:	030200/22/002

Introduction

Stroud District Council (Council) is the area's local planning authority whose duty it is to carry out specific planning functions. One of the functions of the Development Management Service is planning enforcement. This is a discretionary service where the Council investigates complaints about alleged breaches of planning control.

The Council has responsibility for taking appropriate enforcement action as necessary, in the public interest, within the District. The Council's policy recognises that planning enforcement can be a complex and involved process with varying timescales. The aim being to ensure that procedures are fair and reasonable, interested parties are kept informed and that any action is timely and proportionate. This said, imposed national or local restrictions, in response to the Covid 19 pandemic in the UK will inevitably have had an impact on service provision.

The actions of the Planning Enforcement Service are governed by the Town and Country Planning Acts, the Council's Constitution and the Planning Enforcement Policy and Procedure.

At the April 2021 Audit & Standards Committee Meeting several Committee and other Members who were invited to attend and comment, raised matters concerning the Council's Planning Enforcement Service.

The Audit & Standards Committee requested Audit Risk Assurance to undertake an objective and independent review of the Planning Enforcement Service, the following details the scope and approach to the delivery of the review.

Audit Scope

A. This audit will review key service components considering the:

- The development, review and approval process of the Council's policy, (the process which ensured and confirmed that the policy and procedures are followed);
- Processes and systems designed to implement policy and to ensure its application;
- Control systems designed to ensure and report on compliance with the processes;
- Process and system changes implemented and planned to improve service delivery and outcomes, including the introduction of enhanced IT systems;
- Service 'management', operational activities and process that assess, ensure, and confirm (including monitoring and reporting) that desired policy objectives are achieved (see B below);
- The Member oversight and engagement arrangements that monitor, support and ensure the service has the required inputs to deliver the desired performance outcomes and deliver those outcomes
- The service delivery arrangements during the pandemic in meeting the national and Council requirements to keep staff safe and the consequential impact on following policy and procedure and delivering outcomes.

B. The audit will also review the processes that support and ensure the effective delivery of the service; those that may have an impact on service delivery and outcomes. The review will appraise how these have been considered and acted upon in the recent past, and any planned enhancement going forward, to include:

- Functions / Terms of the relevant member Committee (the Members oversight of the delivery of planning enforcement policy objectives);
- Delegations, approval and the authorisation process;
- Member awareness and training in enforcement policy and procedure;
- Service planning;
- Resourcing, recruitment and retention (numbers, skills, knowledge, salary levels, service delivery model options);
- Service demand (managing service demand, movements / increases, work scheduling arrangements linked to resources and policy objectives);
- Management and supervision of the enforcement service, including performance management – measurements, monitoring and reporting process (at service level and of the individual);
- Information management, record management and record keeping (including General Data Protection Regulations);
- Communication processes, timeliness and effectiveness; and
- Formal complaints / questions raised (in respect of service delivery).

Audit Approach

- Information gathering through interviews and discussions;
- Review and testing of process, systems and controls (recent past, current and any changes planned);
- Review and testing of the key components of effective service delivery and the attainment of desired policy objectives (see Audit Scope B);
- Provide proactive comment on the service changes and enhancements planned.

Risks

- The Council fails to deliver the requirement of its Planning Enforcement Policy;
- Public confidence in the Council's enforcement and wider planning service is eroded; and
- Impact on staff morale and retention.

Previous Audit Recommendations

There is no previous Internal Audit review.

Expected timings and outputs

It is planned that the audit will commence in July 2021. We will produce a report, with an action plan attached where appropriate, with the aim of reporting the findings emanating from the review to the November 2021 Audit & Standards Committee.

In order to manage expectations, it should be acknowledged that, in order to meet the objectives of this review within the proposed reporting timeline, Internal Audit will require full access to all relevant documentation, records, IT systems and personnel. It has been highlighted as part of the engagement planning process that access to personnel is currently limited, due to staff turnover / absence. We recognise that a balance will need to be made between directing available resource to assist Internal Audit with the review and maintaining day to day operations. Internal Audit will endeavour to minimise disruption to the service area however, in light of the above this may impact upon the proposed timeline for concluding and reporting our findings.

Main contacts

In the first instance:

- Geraldine LeCointe, Head of Development Management
- Brendan Cleere, Strategic Director of Place
- Andrew Cummings, Strategic Director of Resources
- Griffith Bunce, Development Team Manager
- Ian Mallinson, Senior Enforcement Officer

Report Distribution

- Brendan Cleere, Strategic Director of Place
- Andrew Cummings, Strategic Director of Resources
- Audit & Standards Committee
- Geraldine LeCointe, Head of Development Management
- Sarah Turner, Senior Policy and Governance Officer
- Marie Parkington, Information Governance Officer

Audit Planning Engagement

As part of the development of the terms of reference, Audit Risk Assurance undertook a series of consultation meetings with officers and members, including those identified by the Audit & Standards Committee, and others identified as the planning engagement process progressed. Consultees include:

- Strategic Director of Place, Brendan Cleere;
- Head of Development Control, Geraldine LeCointe;
- Development Team Manager, Griffith Bunce;
- Cllr Nigel Studdert-Kennedy;
- Cllr Norman Kay;
- Cllr Ken Tucker;
- Cllr Stephen Davies;
- Cllr Keith Pearson;
- Cllr Nicholas Hurst;
- Cllr Martin Baxendale;
- Ex Cllr Tom Williams;
- Ex Cllr Karen McKeown;
- Cllr Kate Kay, Chair of Horsley Parish Council;
- Cllr Keith Larkin, North Nibley Parish Council;
- Stroud Town Clerk, Helen Bojaniwska; and
- Assistant Town Clerk, Sheral Gardner.