



## Role Profile

<b>Job Title:</b> Planning Enforcement Officer	<b>Grade/ Level:</b> N	<b>Date Prepared:</b> April 2010 (updated June 2020)
<b>Directorate:</b> Planning	<b>Job Family:</b> Delivery	

Role reports to: Service Manager – Development Management

### Job Purpose:

- To control the recording of complaints and the investigation and collection of evidence of alleged breaches of planning control and criminal offences prescribed within the current planning and kindred legislation.
- To supervise negotiations to achieve the settlement of breaches or take formal action against offenders by the service of notices or prosecution.
- To initiate enforcement action to rectify breaches of planning control, including the service of appropriate notices, preparation and presentation of evidence at inquiries and hearings and prosecution in the Magistrates Court, Crown Court and application for injunctions through the District Court
- To provide technical advice and guidance to other enforcement officers on planning enforcement procedures.
- To undertake other Regulatory Services enforcement work.

### Key Accountabilities:

1. To investigate alleged breaches of planning control within the geographic area of the team.
2. Producing case-specific letters to planning agents, complainants and legal advisors of offenders.
3. Recording witness statements and interviewing offenders under PACE.
4. Writing initial case reports for delegated officer review and for presentation to Planning Committee.
5. Giving advice to Planning Officers on specific enforcement procedures.
6. In consultation with Planning Officers, negotiating with offenders and complainants and third parties over possible action.
7. Prepare draft reports for Committee where delegated powers do not exist or where prudent because of political sensitivity or high profile community interests.
8. Prepare reports for Investigations and Case Manager to assess whether the formal action proposed in any case is relevant and balanced against policy and the likelihood of harm.
9. Prepare regular presentations for Member Training, Parish Council Training.
10. To answer queries from internal or external sources regarding planning enforcement process and control relating to development management issues.
11. To oversee the continuation training of graduate trainees with regards to matters which involve enforcement principles.
12. To develop and train members of staff to maintain the team's effectiveness at the standard required by elected Members and the public in order to provide the service.
13. To represent the Council at meetings as directed by the Investigations and Case Manager, or Head of Service.

Supplementary Accountabilities:	
None	
Job Scope: Number and type of jobs managed: N/A	Job Scope:
Typical tasks supervised/allocated to others:	Budget: No budget management
	Assets: Laptop computer, mobile phone, digital camera, measuring equipment

**Knowledge and Experience:**

- Ability to drive and carry out site visits.
- Ability to deal with upset and or aggressive complainants and developers.
- Ability to work safely alone.
- Practical working knowledge of the Town and Country Planning Act and all other kindred legislation.
- Practical working knowledge of the requirements and application of PACE and its relationship to investigations.
- Practical working knowledge of the Human Rights Act.
- Experience in carrying out investigations, gathering evidence and preparing the necessary evidence for production at court or other hearings.
- Health and safety issues are of paramount importance on working construction sites and in the area of lone working. Some meetings can become heated and it is not uncommon to have to deal with aggressive members of the public, both developers and complainants that could be a threat to personal safety.
- The role is mentally challenging and requires quick thinking tempered with an authoritative attitude. It is essential that the job holder is able to work anti social hours.
- Computer literacy in word processing, database, spreadsheet and presentation packages is required.
- 2 years experience of managing projects (to ensure that set tasks are undertaken and completed to a satisfactory standard)

**Decision Making:**

- To determine whether or not a breach of planning control or a criminal offence has been committed.
- To determine whether Enforcement Action should be initiated or progressed on a case by case basis
- To assess the degree of reaction to complaints required within the constraints of the legislation
- To determine the requirements of the authority in balancing the public perception of enforcement action required and that, which is, considered being in the public interest.

All of these decisions have a direct effect upon the people the authority serves both those who complain and those who offend. These decisions can and do result in the involuntary loss of buildings, trade and a way of life for those persons concerned.

**Contacts and Relationships:**

- Regular contact with Planning Agents
- Regular contact with members of the public
- Regular contact with Wiltshire Constabulary
- Regular discussion meetings with SBC Director of Law and Democratic Services and Staff to review activity and ensure that decisions are legitimate and justifiable if challenged at Hearing or Magistrates

Court or Crown Court.

- Liaison with the local elected Members, Members of Parliament, the Government Office of the South West and the national amenity societies on matters involving local and national interest in the application of enforcement policy on the development of Swindon.
- Regular liaison with staff of Highways Management, Pollution Control, Building Control, Residential Services, Food Hygiene and Safety, Trading Standards, Public Transport and other staff directly involved in or with any current investigation.

**Creativity and Innovation:**

Where it is possible new methods of targeting problem areas of enforcement must be found together with more effective use of the powers embedded in the current legislation.

There is a constant need to review the way in which investigations are carried out with the application of regular changes to the principal legislation and other legislation governing the manner in which the law is applied.

The post-holder is expected to participate in the continual review of the Development Control function and propound innovative methods of solving existing problems and creating new opportunities to improve the service.

Seeking resolution to ongoing problems to maintain the highest levels of amenity in local areas without resorting to formal action requires a creative approach and a flexibility of attitude. These methods must be well considered and thought through and implemented where possible in order to best serve the community in Swindon without obstructing progress in development to no good purpose.

**Job Specific Competencies:**

In accordance with the provisions of the Data Protection Act 1998, jobholders should take reasonable care to ensure that personal data is not disclosed outside Council procedures, or use personal data held on others for their own purposes. In accordance with the provisions of the Freedom of Information Act 2000, ensure requests for non-personal information are dealt with in accordance with the Council's written procedures.

Employee Signature:

Print Name:

Date

Line Manager's Signature

Print Name:

Date: