

JOB DESCRIPTION & PERSON SPECIFICATION

Director Area: Place

Job Ref Number: 03478

Service Area: Planning Services

Grade: G7

Job Title: Planning Enforcement & Monitoring Officer

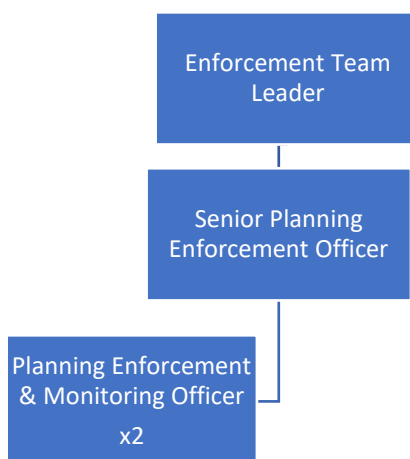
PURPOSE OF JOB:

To undertake and progress investigations into alleged breaches of planning control and criminal investigations in accordance with national planning legislation, the Police and Criminal Evidence Act, Regulation of Investigatory Powers Act, Criminal Procedure and Investigations Act, and adopted Council Policies and Plans.

To establish, maintain and implement a system for monitoring mineral and waste sites for compliance with the planning requirements, and for initiating the review of old mineral permissions to ensure that the conditions are updated when necessary.

Provide advice on planning legislation and Council policy and procedures relating to the planning monitoring and enforcement function to Development Management staff, Councillors, Developers and Operators, Council Departments, other Agencies and members of the public. To monitor development to ensure compliance with planning conditions.

TEAM STRUCTURE:



MAIN DUTIES:

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| 1 | To investigate alleged breaches of unauthorised development and other breaches of planning control and ensure they are progressed in accordance with the adopted Lincolnshire Local Enforcement Plan, Police and Criminal Evidence Act, the Regulation of Investigatory Powers Act, the Criminal Procedure and Investigations Act, Human Rights Act and other relevant legislation. Participate in out of hours duties as and when required. |
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2	To monitor development and assess compliance with planning conditions.
3	To prepare letters, emails and reports for members of the public, Council Officers, Elected Members, relating to enforcement investigations and the planning enforcement and monitoring function.
4	To provide guidance and advice on, planning and enforcement legislation, criminal investigation procedures and the planning enforcement function. Respond to mineral & waste planning enquiries from site operators, elected members and the public regarding activities and proposed activities on mineral/waste sites.
5	To provide guidance and advice on planning monitoring policy and procedures.
6	Write reports which provide a recommendation on how to proceed with enforcement cases such as whether to take formal enforcement action, to issue criminal proceedings and/or closure of investigations.
7	To produce an in depth annual report for each site operator setting out in detail the level of compliance for each planning condition and for any obligations secured through legal agreements, together with any remedial action that the site operator needs to take
8	To undertake the Annual Programme of Site Visits, including the inspection of sites where there has previously been confrontations between the Council and the site operators, and controversial sites (particularly related to oil & gas) where protestors may be present. Following each visit, to produce a report of the findings, including details of any apparent breaches of planning control and remedial action required.
9	To establish and manage a system to ensure the payment of appropriate monitoring fees
10	Prepare witness statements and assist preparing prosecution files setting out the Council's case and charges in criminal proceedings and appear at Court as a witness in criminal prosecutions.
11	To prepare for approval and serve Planning Contravention Notices and notices for information into alleged breaches of planning control.
12	To assist in the preparation of statements of case and proofs of evidence for enforcement appeals and appearing as a witness for the Council at enforcement appeals.
13	To assist in serving formal planning notices in relation to the enforcement function in compliance with the Town and Country Planning Act (Enforcement Notice, Stop Notice, Temporary Stop Notice, Breach of Condition Notice)
14	To issue and serve Code B notices in relation to criminal searches of land or premises in respect of suspected criminal planning offences.
15	To assist interviewing suspects under caution in accordance with the Police and Criminal Evidence Act where criminal planning offences are suspected. Use of specialist equipment for the audio recording of interviews of suspects.
16	Working co-operatively with others across teams and services both with the Council and externally as directed (Environment Agency and District Councils).
17	To attend waste and mineral site liaison meetings when applicable.
18	To assist in the development of good practice, guidance and promote this amongst operators.
19	To contribute to the development of junior members of staff (i.e. planning interns, apprentices and seconded/temporary staff) by training, coaching, mentoring and motivating staff where appropriate to achieve performance excellence, and to act as a role model to others.
20	Assist with the implementation of service strategies and delivery plans to meet the Council's targets and objectives.
21	Look to continuously improve services in area of responsibility managing within allocated budgets and identifying where possible, additional value for money savings.
22	Ensure Council resources are optimised and used effectively and efficiently.
23	As an employee, create a positive image of the County Council.
24	Deliver excellent customer service, incorporating the Council's equality and diversity objectives and supporting the Council to achieve best practice in all it delivers.

25	Remain up to date and compliant with all relevant legislation, organisational procedures, policies and professional codes of conduct in order to uphold standards of best practice.
26	Take personal responsibility for contributing to organisational transformation and changes in ways of working, maximising the benefits and efficiencies for both internal and external customers, including the promotion and use of self-service to achieve maximum cost effectiveness.

PERSON SPECIFICATION

Requirements	Where identified*	Essential	Desirable
A Degree in Town Planning or HND/HNC or equivalent in a relevant subject	A	✓	
Minimum of one year in a planning enforcement role or similar investigative role	A/I		✓
Detailed knowledge and/or experience of development management, planning policy and/or enforcement procedures in particular in relation to minerals and waste development	A/I	✓	
Detailed knowledge and understanding of planning enforcement investigation procedures and skills – e.g. Police and Criminal Evidence Act 1984 and Codes of Practice; Criminal Procedure and Investigations Act; Regulation of Investigatory Powers Act 2000	A/I		✓
Ability to interpret legislation, planning caselaw, criminal law and investigations	A/I	✓	
Ability to work independently with minimum supervision to prioritise own workloads, measure and evaluate own performance and progress	A/I	✓	
Good communicator with ability to communicate effectively with a range and variety of audiences, and work well with other teams	I	✓	
Good negotiation skills and able to provide detailed advice and explain the Council's position on particular issues	A/I	✓	
Able to evaluate a large amount of complex information and come to a	A/I	✓	

sound judgement in the presence of multiple variables and to express that judgement as soundly and robust as possible to withstand challenge			
Excellent written communication skills with an ability to express and explain requirements of planning legislation and policy and to write clear and concise reports	A	✓	
Ability to interpret maps, data and plans. Prepare plans to accompany formal notices	A/I	✓	
Knowledge and ability to assemble a prosecution file including the gathering of evidence, taking formal statements, interviewing and taking witness statements to secure prosecution	A/I		✓
Excellent verbal communication skills with an ability to represent the Council at Appeal Hearings and Inquiries, to give evidence in Court, training events, meetings, etc	I	✓	
Awareness and understanding of the role of other Authorities and Agencies such as District Councils, and in particular the role of the Environment Agency	A/I		✓
Ability to work within a political environment dealing tactfully with politically sensitive issues	A/I	✓	
Knowledge of the waste management and minerals industries and the legislation and technologies impacting upon these sectors	A/I		✓
Ability to decide whether an offence has been committed and recommend the appropriate course of action in accordance with policy and procedures	A/I	✓	
Ability to think innovatively and practically to resolve planning issues and problems and to deal with enquiries	A/I	✓	
Highly competent in the use of a range of information technology, including	I	✓	

word processing, spreadsheet and presentation software, database systems, and Geographic Information Systems (GIS)			
An understanding and knowledge of General Data Protection Regulation, Environmental Information Regulations and Freedom of Information Act	A/I		✓
A full driving licence	A	✓	

*A = Application form T = Test/Assessment I = Interview P = Presentation

GENERAL

The postholder is required to take personal responsibility for contributing to organisational transformation and changes in ways of working, maximising the benefits and efficiencies for both internal and external customers, including the promotion and use of self-service to achieve maximum cost effectiveness.

The postholder is expected to work to the Lincolnshire County Council Core Values and Behaviours and to carry out the duties in accordance with Lincolnshire County Council policies.

Other Duties - The duties and responsibilities in this job description are not exhaustive. The post holder may be required to undertake other duties within the general scope of the post. Any such duties should not substantially change the general character of the post. Duties and responsibilities outside of the general scope of this grade of post will be with the consent of the post holder.

Safeguarding -. All employees need to be aware of the possible abuse of children and vulnerable adults and if you are concerned you need to follow the Lincolnshire County Council Safeguarding Policy. In addition employees working with children and vulnerable adults have a responsibility to safeguard and promote the welfare of children and vulnerable adults during the course of their work.