

Report To:	CABINET	DATE:	27 JANUARY 2020
Heading:	PLANNING COMPLIANCE AND ENFORCEMENT PLAN		
Portfolio Holder:	COUNCILLOR M. RELF PORTFOLIO HOLDER FOR PLACE, PLANNING AND REGENERATION		
Ward/s:	ALL		
Key Decision:	YES		
Subject to Call-In:	YES		

Purpose of Report

To seek agreement to the adoption of the Planning Compliance and Enforcement Plan following consultation with regular customers of the planning service.

Recommendation(s)

Cabinet is asked to:

- 1. Approve the draft Planning Compliance and Enforcement Plan ahead of consultation;**
- 2. Agree to the commencement of consultation with stakeholders and regular customers of the planning service as set out in the report;**
- 3. Authorise the Portfolio Holder for Place, Planning and Regeneration to approve the adoption of the final version of the Planning Compliance and Enforcement Plan following consultation.**

Reasons for Recommendation(s)

The plan explains how Ashfield District Council carries out its planning compliance and enforcement activities and what customers can expect from the service. The National Planning Policy Framework recommends publishing a plan to manage enforcement proactively, in a way that is appropriate to the area.

Alternative Options Considered

Not to approve the plan. Would not provide customers with guidance on how and why the service operates and would not meet government guidance. **Not Recommended.**

Detailed Information

The National Planning Policy Framework states that effective enforcement is important to maintain public confidence in the planning system. Enforcement action is discretionary and any formal action should be proportionate to respond to suspected breaches of planning control. A published plan which sets out how the authority monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and where appropriate take action ensures the service is transparent, efficient and effective.

The plan provides information on the purpose of planning enforcement action, what is a breach, who can and how to complain and what action can be taken. It also provides information to those being complained about and what options are open to them to resolve the issue.

The draft Planning Compliance and Enforcement Plan is attached as an appendix to the report. It is proposed to consult all members, Parish Councils, recognised voluntary groups, consultees, neighbouring authorities and regular planning agents over a 21 day time period in February 2020.

Implications

Corporate Plan: The adoption of the plan supports communities and businesses to deliver good quality development. Effective enforcement action maintains public confidence in the planning system. It will improve the customer experience and satisfaction because they will know what to expect and when. This is a document which provides clear information on the quality of the Council's Planning Compliance and Enforcement service and that the service is consistent, reliable and puts the customer at the heart of everything we do.

Legal:

Powers in relation to planning enforcement derive from the Town and Country Planning Act 1990 (as amended). Detailed legal enforcement powers and considerations are set out in detail in the draft Plan.

Finance:

Budget Area	Implication
General Fund – Revenue Budget	None
General Fund – Capital Programme	None
Housing Revenue Account – Revenue Budget	None
Housing Revenue Account – Capital Programme	None

Risk:

Risk	Mitigation
No known risks	N/A

Human Resources:

There are no direct HR implications contained within this report.

Equalities:

This report will not have any positive or negative impacts on people in any of the groups of protected characteristics.

Other Implications:

No other implications

Reason(s) for Urgency

Not applicable.

Reason(s) for Exemption

The report is not exempt

Background Papers

Planning Compliance and Enforcement Plan 2020

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