

PLANNING COMMITTEE

30 AUGUST 2017

PLANNING ENFORCEMENT POLICY 2017

Report from: Richard Hicks, Director of Regeneration, Culture, Environment and Transformation

Authors: Carly Stoddart, Planning Manager: East
Alison Munck, Enforcement Officer

Summary

This report introduces a Planning Enforcement Policy. Planning Committee is asked to note the Policy and recommend to Full Council.

1. Budget and Policy Framework

- 1.1 This report has no impact on budget and policy framework as the Planning Enforcement Policy just sets out the Council's approach to dealing with suspected breaches of planning control.
- 1.2 Approval of the Planning Enforcement Policy is a matter for full Council.

2. Background

- 2.1 The Council has adopted its Council Plan for the period of 2016/17 to 2020/21. The Planning Enforcement Policy seeks to update the existing Planning Enforcement Policy dated 2007 and provide an explanation of the planning enforcement process in accordance with the commitments set out in the Council Plan. It provides guidance on what types of breaches are covered by planning legislation and the different forms of action available to the Planning Service and when it is appropriate to implement these actions.

3. Options

- 3.1 The options available to the Council are to update the Planning Enforcement Policy or not.
- 3.2 The Council's Planning Enforcement Policy must be updated to reflect current and established practice and legislation. Not updating the Policy could lead to the Council being in a weaker position with regard to their defence against complaints.

4. Advice and Analysis

- 4.1 The Policy would replace the existing Planning Enforcement Policy 2007 providing up-to-date information as to the processes applied by the Planning Service and advice as to the enforcement options available with regards to taking formal action. The Planning Committee is asked to note the Policy as set out in Appendix A and to recommend to full Council to agree the updated Planning Enforcement Policy 2017.
- 4.2 A Diversity Impact Assessment has been completed and is attached at Appendix B.

5. Risk Management

- 5.1 Risk management is an integral part of good governance. The Council has a responsibility to identify and manage threats and risks to achieve its strategic objectives and enhance the value of the services it provides to the community.

Risk	Description	Action to avoid or mitigate risk	Risk Rating
Out of date information in the Council's Enforcement Policy	The existing Planning Enforcement Policy is out of date and there is a risk that the Council could be asked why it is operating different arrangements.	An updated Planning Enforcement Policy has been produced for approval by this Committee and full Council.	N/A

6. Consultation

- 6.1 As a policy relating to service delivery and processes in accordance with Planning Legislation, no public consultation has been carried out.
- 6.2 The policy will be submitted to Cabinet on 26 September 2017 and then to Council on 12 October 2017 for final consideration and approval.

7. Financial Implications

7.1 There are no financial implications.

8. Legal Implications

8.1 The updated Planning Enforcement Policy 2017 will clearly set out the processes followed by the Planning Service for the Council's customers in the context of up-to-date planning legislation and policy.

8.2 The updated Planning Enforcement Policy 2017 will also help the Council defend its position with regards to complaints.

9. Recommendation

9.1 The Planning Committee is asked to note the updated Planning Enforcement Policy 2017 as set out in Appendix A of this report and is recommended to ask full Council to approve the document.

Lead officer contact

Carly Stoddart, Planning Manager: East
Tel: (01634) 331604
Email: carly.stoddart@medway.gov.uk

Appendices

Appendix A – Planning Enforcement Policy
Appendix B – Diversity Impact Assessment

Background Papers:

Council Plan 2016/17 - 2020/21