



To: Members of Planning Committee
Report by: Patsy Dell, Head of Planning

Wards affected: Abbey, Arbury, Castle, Cherry Hinton, Coleridge, East Chesterton, King's Hedges, Market, Newnham, Petersfield, Queen Edith's, Romsey, Trumpington, West Chesterton.

PLANNING ENFORCEMENT POLICY

1.0 Summary

Legislative changes and in particular the Regulators Code which came into force in April 2014 has made it necessary to review and update the Council's Planning Enforcement Policy.

2.0 Recommendations

Planning Committee are recommended to adopt the proposed Planning Enforcement Policy which is attached at Appendix A.

Officers also request that authority is delegated to the Head of Planning Services to amend the 'Further Information' section of the Policy to update the links to the information. No changes would be made to the body of the Policy without further reference back to Members.

3.0 Background

3.1 The current Planning Enforcement Policy has not been reviewed since 2000 and is now out of date and does not reflect current legislation, in particular the Regulators Code. The Council's Corporate Enforcement Policy which was reviewed in October 2014 forms the overarching document under which specific service enforcement policies sit. The Planning Enforcement Policy is in line with the overarching principles contained in the Corporate Enforcement Policy.

3.2 The policy is essential to provide clarity to residents and businesses in the way we act, as well as, minimising risks associated with failed

enforcement action. The Planning Enforcement Policy is one of a number of methods and tools used to deliver the Council's Vision "One Cambridge – Fair for All".

- 3.3 Section 7 of the Policy includes authority for Senior Officers to close enforcement cases.

4.0 Implications

(a) Financial Implications

The policy has no direct costs as services are staffed to undertake the relevant enforcement roles. Working to an up to date policy will reduce enforcement risks and potential award of costs.

(b) Staffing Implications

There are no staff implications other than communicating the change and ensuring action is taken in accordance with the policy

(b) Equal Opportunities Implications

An EQIA has been carried out in respect of the Corporate Enforcement Policy and there are no specific issues relevant to planning enforcement that have not already been covered by the existing EQIA. It has been agreed that Officers will monitor any issues with the Corporate Enforcement Policy as it is implemented and the EQIA will be updated after a year. It is considered therefore, that the Planning Enforcement Policy does not require a specific EQIA to be carried out.

(d) Environmental Implications

The Planning Enforcement Policy will be used to guide the way officers enforce appropriate legislation that regulates and protects the environment.

(e) Procurement

Not Applicable

(f) Community Safety

The Planning Enforcement Policy in conjunction with the Corporate Enforcement Policy is used to guide the way we enforce appropriate legislation that regulates the environment.

5.0 Consultation and communication

- 5.1 This document has been produced in consultation with officers in Planning Services, Legal Services and Environmental Health.
- 5.2 One of the issues raised during the production of this document was whether or not to consult more widely on the document, taking into account the following factors:
- Whether the public generally, or any particular groups have a legitimate expectation to be consulted.
 - The Council's own Code of Best Practice on Consultation (2011).
 - Practice among other local authorities.
- 5.3 Although some local authorities have consulted on their enforcement policies, and although there is some merit, in public interest terms, of carrying out this exercise, on balance officers decided not to consult for the following reasons:
- There is no statutory duty to consult as there is with many other planning policies.
 - There is a wider public need to have updated policies in place quickly.
 - The Corporate Enforcement Policy was not subject to a public consultation.

6.0 Background papers

Cambridge City Council Corporate Enforcement Policy.
EQIA for Corporate Enforcement Policy.
Planning Investigation Service Enforcement Policy (December 2000)

7.0 Appendices

Appendix A: Planning Enforcement Policy.

8.0 Inspection Papers

To inspect the background papers or if you have a query on the report please contact:

Author's Name: Lisa Lamb
Author's Phone Number: 01223 - 457155
Author's Email: lisalamb@cambridge.gov.uk