

# BRIEFING PAPER

---

**SUBJECT:** PLANNING ENFORCEMENT POLICY  
**DATE:** 16 OCTOBER 2014  
**RECIPIENT:** OVERVIEW AND SCRUTINY MANAGEMENT COMMITTEE

---

## THIS IS NOT A DECISION PAPER

### SUMMARY:

A report is scheduled to be presented to the 21 October 2014 meeting of Cabinet requesting that a revised Planning Enforcement Policy be approved by Cabinet. This Policy, attached as Appendix 1, sets out what the Planning Enforcement function does and how it is delivered to the service. It is not a legal document and does not seek to provide legal advice or to comment on individual cases, which will be judged on their individual circumstances.

### BACKGROUND and BRIEFING DETAILS:

1. It is necessary to have a comprehensive and up to date Planning Enforcement Policy in place to ensure that:
  - Clear policies and procedures are in place for planning enforcement
  - Complaints received are prioritised, investigated, their progress monitored and resolved in a timely manner
  - Enforcement decisions are executed within statutory and legal timeframes
  - Staff are appropriately trained and qualified
2. The Council's Planning Enforcement Policy has not been reviewed since it was published in October 2008 and it does not reflect the updated National Planning Policy Framework, published in March 2012. The Policy has now been fundamentally revised and updated, and brought in line with the NPPF. The policy sets out:-
  - The purpose of planning enforcement (section 2)
  - What is, and is not, a breach of planning control (section 3)
  - How the Council decides whether to take enforcement action and possible outcomes (section 4)
  - How the planning enforcement team will deliver the service (section 5)
  - Clarification on how the Council prioritises complaints and timescales (section 6)
  - What happens if someone complains about you (section 7)
  - Customer care (section 8)
3. An important component of the policy is that it clearly sets out what customers (complainants and those complained about) can expect from the service, the procedures that will be followed and the possible outcomes flowing from those procedures. Once the policy is approved, a guidance leaflet will be produced and made available to the public, detailing the main elements of the policy.

### RESOURCE/POLICY/FINANCIAL/LEGAL IMPLICATIONS:

#### Financial

4. There are no direct implications arising from this report.

# BRIEFING PAPER

## Property / Other

5. None.

## Legal

6. The powers are primarily contained within Town and Country Planning legislation.

## Policy

7. The report is in line with the Policy Framework.

## **Appendices/Supporting Information:**

- 1 Planning Enforcement Policy

**Further Information Available From:**

<b>Name:</b>	Simon Rowberry
<b>Tel:</b>	023 8083 2044
<b>E-mail:</b>	simon.rowberry@southampton.gov.uk