

Cheltenham Borough Council
Cabinet – 11th February 2014
Local Enforcement Plan (planning)

Accountable member	Cabinet Member Built Environment, Councillor Andrew Mckinlay
Accountable officer	Mark Nelson, Built Environment Enforcement Manager
Ward(s) affected	All
Key Decision	Yes
Executive summary	The National Planning Policy Framework (NPPF) recognises that effective enforcement is important as a means of maintaining confidence in the planning system and recommends that a local enforcement plan is produced by every local planning authority. Subject to approval, appendix 2 contains Cheltenham's local enforcement plan which includes procedures and priorities that will allow any enforcement action to be consistent, proportionate and equitable in line with the Council's corporate enforcement policy.
Recommendations	That Cabinet approves the local enforcement plan contained in appendix 2

Financial implications	None Contact officer: nina.philippidis@cheltenham.gov.uk Tel: 01242 264121
Legal implications	Paragraph 207 of the National Planning Policy Framework provides as follows: "Effective enforcement is important as a means of maintaining public confidence in the planning system. Enforcement action is discretionary, and local planning authorities should act proportionately in responding to suspected breaches of planning control. Local planning authorities should consider publishing a local enforcement plan to manage enforcement proactively, in a way that is appropriate to their area. This should set out how they will monitor the implementation of planning permissions, investigate alleged causes of unauthorised development and take action where it is appropriate to do so." Contact officer: Laura.Greenman@tewkesbury.gov.uk, Tel: 01684 272695
Key risks	See appendix

Corporate and community plan Implications	The local enforcement plan will help to ensure conservation and enhancement of Cheltenham's architectural and landscape heritage and help to enhance and protect Cheltenham's natural and built environment.
Environmental and climate change implications	The enforcement plan will help to enhance and protect Cheltenham's natural and built environment

1. Background

- 1.1 The National Planning Policy Framework recommends the introduction of local enforcement plans by local planning authorities.
- 1.2 Cheltenham's local enforcement plan has been developed to promote a consistent, proportionate and equitable approach to planning enforcement issues.
- 1.3 The plan includes priorities and timescales to promote this consistent approach within the limited resources available. Proactive enforcement action will be considered when it will reduce levels of reactive enforcement and therefore make best use of these limited resources.

2. Reasons for recommendations

- 2.1 To meet recommendations contained in the National Planning Policy Framework and to provide consistent, proportionate and equitable planning enforcement in line with Cheltenham's Corporate Enforcement policy

3. Consultation and feedback

- 3.1 Relevant Internal departments have been fully consulted and the consultation process has involved a member seminar. Consultation and feedback from members has helped to inform the priorities for action contained in the enforcement plan.

4. Performance management –monitoring and review

- 4.1 Timescales for response and priorities contained within the plan will be monitored to ensure an efficient and consistent approach to enforcement within available resources

Report author	Contact officer: Mark Nelson, mark.nelson@cheltenham.gov.uk, 01242 264165
Appendices	<ul style="list-style-type: none"> 1. Risk Assessment 2. Local Enforcement Plan (planning)
Background information	<ul style="list-style-type: none"> 1.

The risk				Original risk score (impact x likelihood)			Managing risk				
Risk ref.	Risk description	Risk Owner	Date raised	Impact 1-5	Likelihood 1-6	Score	Control	Action	Deadline	Responsible officer	Transferred to risk register
	The plan enables a consistent, proportionate and equitable approach to planning enforcement within limited resources. Failure to adopt and implement a plan with agreed priorities and timescales for action will result in inconsistent and inequitable enforcement. This would in turn leave the council open to criticism.	Mark Nelson		3	5	15		Approve plan or accept risk		Mark Nelson	
Explanatory notes											
<p>Impact – an assessment of the impact if the risk occurs on a scale of 1-5 (1 being least impact and 5 being major or critical)</p> <p>Likelihood – how likely is it that the risk will occur on a scale of 1-6 (1 being almost impossible, 2 is very low, 3 is low, 4 significant, 5 high and 6 a very high probability)</p> <p>Control - Either: Reduce / Accept / Transfer to 3rd party / Close</p>											