

BROMSGROVE DISTRICT COUNCIL

Cabinet
2024

17th January

Bromsgrove District Council Planning Enforcement Policy

Relevant Portfolio Holder	Councillor K. Taylor
Portfolio Holder Consulted	Yes
Relevant Head of Service	Ruth Bamford
Report Author	Job Title: Principal Officer Contact email:toni.ainscough@worcsregservices.gov.uk Contact Tel: 01562 738035
Wards Affected	No specific ward relevance
Ward Councillor(s) consulted	No
Relevant Strategic Purpose(s)	All strategic purposes apply
Non-Key Decision	
If you have any questions about this report, please contact the report author in advance of the meeting.	

1. RECOMMENDATIONS

The Cabinet RECOMMEND to Council that:-

- 1.1 The Council endorses the report (as attached at Appendix A).

2. BACKGROUND

- 2.1 The attached report in Appendix 1 is a revision of the existing Planning Enforcement Policy dated January 2011. The current policy can be found here:
<https://www.bromsgrove.gov.uk/media/905007/Bromsgrove-Enforcement-Policy-January-2011.pdf>

The revised and updated policy for consideration is attached in Appendix 1. It is recommended that the attached Planning Enforcement Policy replaces the existing policy in line with current practice.

3. OPERATIONAL ISSUES

- 3.1 There are no operational issues of note.

4. FINANCIAL IMPLICATIONS

- 4.1 None

5. LEGAL IMPLICATIONS

- 5.1 The Council carries out enforcement activity under statutory powers. There are no direct legal implications arising from this Report

Whilst the Council has a range of powers to enforce against unauthorised development, the Government, through paragraph 59 of the National Planning Policy Framework (NPPF), states that enforcement action is discretionary and LPA's should act proportionately in responding to suspected breaches of planning control. The NPPF (as augmented by the NPPG) also recommends that Local Planning Authorities publish 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 cases of unauthorised development and take action where it is appropriate to do so. The Council has therefore updated its Enforcement Plan in accordance with national guidance, best enforcement practice and to provide greater clarity and transparency on expectations, process and limitations in relation to the Council's role.

6. OTHER - IMPLICATIONS

Relevant Strategic Purpose

- 6.1 The response to the Planning Enforcement Policy in itself does not have any direct implications on Bromsgrove District Council's strategic purposes. In reviewing this policy, consideration has been given to the Council's strategic purposes and it is considered that the revised policy supports these key purposes. T

Climate Change Implications

- 6.2 It is not considered that there are any specific climate change implications for Bromsgrove from the proposals in the Planning Enforcement Policy SSLP. Although it is recognised that the planning process must continue to address the wider climate change concerns.

Equalities and Diversity Implications

- 6.3 The response has no Equality or Diversity implications, due regard has been given in the preparation of this policy.

7. RISK MANAGEMENT

- 7.1 The current planning enforcement policy does not reflect the current or aspired operational activities of its planning enforcement service.

Therefore by not endorsing the attached reviewed policy, the Council is at risk of operating a service which is not in alignment with current policy.

- 7.2 The proposed enforcement policy sets out our approach to enforcement which is subject to budgets afforded such. Expectation of action and expediency will require managing with the above in mind.

8. APPENDICES and BACKGROUND PAPERS

Appendix 1 – Bromsgrove District Council Planning Enforcement Policy

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9. REPORT SIGN OFF

Department	Name and Job Title	Date
Portfolio Holder	Councillor K. Taylor	
Lead Director / Head of Service	Ruth Bamford	
Financial Services		
Legal Services	Amar Hussain	28/11/23
Policy Team (if equalities implications apply)	N/A	
Climate Change Team (if climate change implications apply)	N/A	