

COMMITTEE	PLANNING COMMITTEE
DATE	28 October 2014
SUBJECT	Enforcement Protocol 2014
REPORT OF	Leigh Palmer Senior Specialist Advisor (Planning)
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WARDS	All
PURPOSE	To seek Members' approval to the Updated Planning Enforcement Policy
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RECOMMENDATION	Members endorse the revised/updated Enforcement Policy and resolve that it be continued to be used as Council Policy.
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Background

The current Planning Enforcement Policy Statement was adopted by the Council in April 2010. In the past four years there have been changes in legislation and in the Councils organisational structure, the Enforcement Policy requires updating and revising.

Revised Enforcement Policy Statement

The proposed changes to the previously adopted enforcement policy are modest and relate to updating legislative references and also clarity over the type and nature of the types of enforcement action that can be pursued.

Purpose of this report:-

The purpose of this information item is to bring to your attention to the Councils Enforcement Protocol (EP) as amended and updated.

The Policy statement continues to: -

- Promote the joined up enforcement approach, recognising that working closely with others from outside the planning service is essential to maximise outcomes

- Reflect and reinforce the more proactive work already undertaken by the by the planning enforcement processes and also by the Difficult Properties Group in taking positive action to improve the environment of the Borough and the amenities of its residents.
- Planning Committee will receive a quarterly report detailing the actions and outcomes relating to enforcement matters.

Financial and Staffing Implications:-

The enforcement function for Eastbourne Borough Council falls under Customer First with the Case Workers assisted by the Specialist Advisors administering the relevant processes.

It is considered that the current establishment is sufficient to continue to implement this enforcement policy.

Human Rights Implications

When deciding to take enforcement action, including prosecution, the rights of individuals un the Human Right Act will be carefully considered. Particular account will be taken of Article 6, the right to a fair trial and Article 8, the right to respect for private and family life, home and correspondence.

Conclusion

Since the Enforcement Policy was revised in April 2010 it has be successfully implemented bringing about significant changes in the Council's approach to enforcement issues in general.

Planning enforcement now enjoys a significantly higher profile than in the past. Public expectation is also higher and therefore a more robust policy document which more clearly identifies when and how action can be undertaken is required to ensure that these expectations can be met.

Recommendation:-

It is therefore recommended that Members endorse the revised/updated Enforcement Policy and resolve that it be continued to be used as Council Policy.