

Policy and Resources Committee	
Meeting Date	7 th February 2024
Report Title	Planning Enforcement Strategy – draft for consultation
EMT Lead	Emma Wiggins Director of Regeneration and Neighbourhoods
Head of Service	Joanne Johnson Head of Regeneration, Economic Development and Property and Interim Head of Planning
Lead Officer	Paul Casey Planning Enforcement Team Leader
Classification	Open
Recommendations	<ol style="list-style-type: none"> 1. That members consider the draft Planning Enforcement Strategy for consultation and propose any relevant amendments. 2. That members recommend the launch of a consultation period on the draft Plan.

1 Purpose of Report and Executive Summary

- 1.1 To seek input in the emerging Planning Enforcement Strategy and approve the launch of a consultation period.

2 Background

- 2.1 The current Planning Enforcement Strategy was adopted in 2021. This paper sets out plans to replace the document with an updated version.
- 2.2 Plans are also in place to refresh the overarching Corporate Enforcement Strategy. Officers are ensuring there is dialogue between the two documents.

3 Proposals

- 3.1 That members consider the Planning Enforcement Strategy for consultation and propose any relevant amendments.
- 3.2. That members recommend the launch of a consultation period on the draft Plan.

4 Alternative Options Considered and Rejected

- 4.1 Members could consider not consulting on the proposed policy. This would not accord with good governance or give interested parties an opportunity to

comment on the policy, make representations about it and improve it. Therefore, this option is not recommended.

4.2 Members could consider not refreshing the strategy until a later point. This is not recommended given the time officers have been able to invest, and the opportunity currently presented to align the strategy with the Corporate Plan period.

5 Consultation Undertaken or Proposed

5.1 The draft has been considered by the Planning and Transportation Policy Working Group, and it was resolved to change the title of the document to Planning Enforcement Strategy from Enforcement Local Plan. The following changes were also recommended, and the draft has been updated accordingly;

- Gypsy and Travellers- Equality and Diversity rights recognised in this report
- Clarify same day site visit for protected trees and listed buildings
- Clarify 30 day activity diary and information needed
- Highway land, including footpaths – changes made to reflect that it may also mean land to which the public has a right to pass and repass, and not just highway maintainable at public expense.
- Visit response times changed to ‘working days’ from ‘days’

5.2 Proposed consultees will include Ward, Parish, Town Councillors and members of the public. Promotion of the consultation will be supported by the Council’s Communications team.

5.3 Intended dates for the consultation period are 26th February 2024 – 21st April 2024.

6 Implications

Issue	Implications
Corporate Plan	The service is an important function to preserve the integrity of, and public confidence in, the planning system by ensuring that development accords with the rules. The draft Corporate Plan is currently out for consultation and the Enforcement Strategy will reflect the corporate approach.
Financial, Resource and Property	The delivery and implementation of the enforcement strategy is within in the allocated revenue budget.
Legal, Statutory and Procurement	The framework basis for enforcement is set out within the consultation draft.
Crime and Disorder	The strategy will support the rectification of breaches, and on occasions dovetails with the work of other agencies, such as Kent Police.

Environment and Climate/Ecological Emergency	No implications identified.
Health and Wellbeing	No implications identified.
Safeguarding of Children, Young People and Vulnerable Adults	No implications identified.
Risk Management and Health and Safety	No implications identified.
Equality and Diversity	The strategy recognises the Public Sector Equality Duty as per sections 149 to 157 of the Equality Act 2010 and investigations undertaken will be mindful of and where appropriate reflect specific circumstances related to protected characteristics
Privacy and Data Protection	Data protection and privacy rules are set out in the consultation draft.

7 Appendices

7.1 The following documents are to be published with this report and form part of the report:

- Appendix I: Draft Planning Enforcement Strategy

8 Background Papers

[Planning Enforcement Strategy 2021.](#)