

WYRE FOREST DISTRICT COUNCIL

CABINET
24TH APRIL 2008

Recommendations from the Planning (Enforcement) Committee 3rd April
2008

Amendment to Pro-Active Enforcement Policy and Scheme of
Delegation

Members considered a report from the Head of Planning, Health and Environment that sought approval to changes to the Scheme of Delegation relating to the closing of certain enforcement cases and also requested approval for associated amendments to the existing Pro-Active Enforcement Policy.

In making decisions as to whether or not to take enforcement action, the Council is exposed not only to the possibility of appeals by those against whom action is taken, but also the possibility of Human Rights claims and/or Ombudsman complaints by those aggrieved at a decision not to take action. By having in place and following a clear policy on enforcement, this should minimise the risk of any successful claim against the Council.

The proposed changes to the way enforcement cases may be closed will allow officers to concentrate resources on those cases whether the unauthorised development is causing serious harm. It will also avoid the need for committee meetings where there are no significant new cases to report to members.

RECOMMENDED TO CABINET TO RECOMMEND TO COUNCIL:

1. The Scheme of Delegation be amended to include:

Closure of enforcement cases where there has been a breach of planning control but the Head of Planning, Health and Environment, in consultation with the Ward Members, considers it is not expedient nor in the public interest to take enforcement action.

2. The Revised Pro-Active Enforcement Policy as set out in Appendix 1 of the report to the Planning Enforcement Committee be adopted.