

**PROPOSED REVISIONS TO THE LOCAL ENFORCEMENT PLAN FOR
MINERALS AND WASTE DEVELOPMENT IN CAMBRIDGESHIRE**

To: **Planning Committee**

Date: **11th December 2014**

From: **Head of Growth and Economy**

Electoral division(s): **N/A**

Purpose: **To consider the following report**

Recommendation: **That the Planning Committee approves the proposed revisions to the Local Enforcement Plan for Minerals and Waste Development in Cambridgeshire.**

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1. INTRODUCTION

- 1.1 In March 2012 the Department for Communities and Local Government published the National Planning Policy Framework (NPPF). Paragraph 207 of the NPPF recommends that local planning authorities consider publishing a local enforcement plan to manage enforcement proactively and in a way that is appropriate to their area. The plan should set out how the authority will monitor the implementation of planning permissions, investigate alleged cases of unauthorised development and take action where it is appropriate to do so.
- 1.2 The original Local Enforcement Plan for Minerals and Waste Development in Cambridgeshire was prepared and presented to the Development Control Committee on 4th October 2012. The DCC approved the Plan, the proposed consultation process and the recommendation that the Plan is subject to a biennial review. This is the first full biennial review of the Plan.

2. PRINCIPAL CHANGES

- 2.1 The proposed changes to the Plan following the review are relatively minor. The plan now includes further information and clarification to minerals and waste site operators on the enforcement process, particularly with regard to prosecutions. The timescales for responding to complaints have also been amended to increase flexibility in a situation where resource is limited, while continuing to ensure the highest risk breaches are investigated quickly and complainants are kept informed of the progress of their complaints. We expect that these changes will not noticeably increase the risk of irreversible or significant harm occurring. Details of all the principal changes are set out in Table 1. The revised plan is shown in Appendix 1.

Table 1 – Principle Changes Summary

Section	Heading	Proposed Change
2	GENERAL PRINCIPLES	This new section sets out the principles that will be applied to each new enforcement case.
7.2	Category 1 - Severe risk of irreversible harm occurring	The response time for a category 1 complaint has been revised from 1 to 3 working days.
7.3	Category 2 – Significant risk of harm occurring	The response time for a category 2 complaint has been revised from 3 to 5 working days.

Section	Heading	Proposed Change
8.3	INVESTIGATING COMPLIANTS	The timescale for writing to the occupier/landowner after the initial complaint response visit, where no immediate action is required, has been revised from 10 to 15 working days.
8.4	INVESTIGATING COMPLIANTS	The timescale for writing to the complainant after the initial complaint response visit has been revised from 10 to 15 working days.
12	COUNTY COUNCIL DEVELOPMENTS	Section 12 summarises how the County Council goes about regulating breaches of planning control at Council developments.
13.18	Temporary Stop Notice (TSN)	Further information is provided on the compensation risks to the Council which are associated with serving a Temporary Stop Notice.
13.21	Prosecution	This new section explains the public interest factors which the Council will consider before commencing a prosecution.
13.25	Timescales	Further detail is provided on the factors which may affect the timescales for preparing a prosecution case.
N/A	Glossary	The definition of County Matters has been removed from Appendix 2 and added to the Glossary.

3. **RECOMENDATION**

- 3.1 The Planning Committee approves the revised Local Enforcement Plan.