

APPENDIX B

SUMMARY OF RESPONSES TO CONSULTATION ON THE DRAFT ENFORCEMENT PLAN

Plan Ref	Response received	Council's Response	Proposed Amendment to Plan	
1	Parish Council: Discussed and no comment.	-	-	
2	Parish Council: The plan appears to be measured, appropriate and balanced.	Noted.	-	
3	9.1	Parish Council: We thought it would be best if the time scales for formal enforcement action were included within the Plan, so that all the relevant information was contained within the one document, to avoid a wider search elsewhere for the data.	Whilst it is agreed that it would be ideal to include definitive timescales for enforcement action within the Plan, in reality this is not practicable. Timescales are set out in the relevant legislation covering enforcement action; and this is complex and requires careful reading and cross referencing, which means that further explanation on the correct legal interpretation would also need to be included. This could be lengthy, and it is not considered appropriate for the Plan to provide an interpretation of legal advice. It is therefore concluded further advice on formal timescales for enforcement action cannot be included.	-
4	14.1	Parish Council: A web address, hyperlink and postal address should be added to the section on making a complaint.	This section relates to making a complaint about the Plan itself rather than a complaint that needs to be investigated. However, the concern about contacting the service to register a planning enforcement complaint is noted, and further contact details have been added to section 14.1 of the Plan.	As well as adding further contact details within the 'contact' section of the Plan, the contact email and postal addresses for the Enforcement and Monitoring team have also been included on the title page to ensure that it is clear how to contact us.
5	Parish Council: would like to see a routing agreement for large vehicles.	Clarification on the reason for this comment was sought and it has been confirmed that this was not a general request in relation to the Enforcement Plan but related to a	-	

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			specific site / area. Development Management Officers have been made aware of the response and it has been confirmed that they do work with Mineral and Waste operators to ensure routing agreements are implemented through planning conditions and S106 legal agreements, where appropriate.	
6		Parish Council: The Plan was relatively easy-to-understand and is one which we hope the extant Enforcement Action could actually be used to normalise the transfer on a local project which is increasingly seen as protracted or even mis-managed.	It is noted that the the Plan is considered easy to understand, which is welcomed. The second part of this response relates to issues in relation to the restoration of a specific site. The progress being made on this site is being investigated and closely monitored as a separate matter; and a change to the Plan itself is not required in this context.	-
7	13	District Council: It would be useful to expand the section on enforcing planning obligations because this is different to the process for enforcing other aspects of planning control.	Although compliance with planning obligations is checked as part of the County monitoring visits, the enforcement of these legal agreements is not covered by planning enforcement powers and this is the reason that the subject is not covered in more detail within the plan. A separate internal procedures document is being prepared to sit alongside the Plan and this will provide further detail on the process for monitoring and enforcing planning obligations.	-
8	11	District Council: The section on working with district councils is clear and safeguards both councils' interests. It would be useful to include more detail about how and when complainants will be updated.	The Plan confirms that complainants are advised at key stages of an enforcement investigation. It is not practicable to provide further detail on this point because the method and frequency of contact can vary considerably depending on the nature of the case, and is therefore best considered on a case by case basis.	-

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9	11.4	Adjoining Authority: With regard to the most serious breaches of planning control an immediate response is required because more damage could be done to the environment.	Agreed, and Officers will make every effort to take immediate action in respect of serious breaches of planning control where there is a serious risk of damage to the environment. This is already adequately reflected in the Plan, so no further amendment is necessary.	-