

**To: Planning and Climate Change Policy Board**

**On: 14 June 2022**

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**Report by: Chief Executive**

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**Heading: Planning Enforcement Charter 2022**

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## 1. Summary

- 1.1 This report presents the updated Renfrewshire Planning Enforcement Charter.
  - 1.2 The Town and Country Planning (Scotland) Act 1997 (as amended) requires the planning enforcement charter to be reviewed every two years.
  - 1.3 The planning enforcement charter sets out the process and procedures for how and when planning will deal with a breach of planning control.
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## 2. Recommendations

- 2.1 It is recommended that the Board:
    - (i) Approve the Renfrewshire Planning Enforcement Charter 2022 which can be found [here](#).
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## 3. Background

- 3.1. The Renfrewshire Planning Enforcement Charter sets out the process and procedures for how and when the Council will deal with a breach of planning control. It provides information and advice as to how a suspected breach of planning control can be brought to the attention of Renfrewshire Council.
- 3.2. Service standards and timescales are highlighted in the charter with a commitment to dealing with breaches of planning control through prioritisation of action depending on the seriousness of the breaches of planning control.

#### 4. **Planning Enforcement Charter 2022**

- 4.1. The revised Planning Enforcement Charter outlines the role of the Council the applicable policies and procedures and the standards of service to be expected.
- 4.2. The charter notes that the purpose of planning enforcement is to find a solution or to deal with the issue rather than seek to punish.
- 4.3. It should be noted that planning enforcement is a discretionary power for local authorities and each case is considered in terms of the nature of the planning breach and the wider public interest.
- 4.4. The Enforcement Charter outlines that following issues will be prioritised:
  - Significant detrimental impact on public safety;
  - Irreversible damage to listed buildings;
  - Significant detrimental impact on amenity;
  - Impact on trees protected by Tree Preservation Orders/in Conservation Areas.

#### 5. **Next Steps**

- 5.1. If approved, the updated planning enforcement charter will replace the current enforcement charter.
- 5.2. The Council's Planning Team will continue to keep the effectiveness of the enforcement charter under review and future updates will be presented to Board when required.

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#### **Implications of the Report**

1. **Financial** – The extent and details of the additional duties is still to be confirmed.
2. **HR & Organisational Development** – None.
3. **Community/Council Planning** –  
The Charter assist in promoting Renfrewshire as a place to live, work and visit.
4. **Legal** – None.
5. **Property/Assets** – None.
6. **Information Technology** – None.

## 7. **Equality & Human Rights -**

- (a) The Recommendations contained within this report have been assessed in relation to their impact on equalities and human rights. No negative impacts on equality groups or potential for infringement of individuals' human rights have been identified arising from the recommendations contained in the report. If required following implementation, the actual impact of the recommendations and the mitigating actions will be reviewed and monitored, and the results of the assessment will be published on the Council's website.
8. **Health & Safety** – None.
9. **Procurement** – None.
10. **Risk** – None.
11. **Privacy Impact** – None.
12. **COSLA Policy Position** - None.
13. **Climate Risk** – The proposed site development briefs seek to ensure that any development coming forward is undertaken in a sustainable manner and aids the adaption required as a result of climate change.

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## **Appendix 1 – Renfrewshire Planning Enforcement Charter 2022.**

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