

## CAIRNGORMS NATIONAL PARK AUTHORITY

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### FOR DECISION

**Title: REVIEW OF PLANNING ENFORCEMENT CHARTER**

**Prepared by: Ed Swales, Monitoring and Enforcement Officer**

#### **Purpose of Report**

1. To seek the Planning Committee's approval of the Planning Enforcement Charter for adoption and publication.

#### **Recommendation**

2. That the Planning Committee approve the Planning Enforcement Charter for the Cairngorms National Park Authority.

#### **Background**

3. Section 158A of the Planning etc. (Scotland) Act 2006 requires planning authorities to prepare an enforcement charter. The detailed requirements are included within Planning Circular 10/2009.
4. A planning authority must keep their Charter under review and it must be reviewed and re-published every two years. More frequent reviews may be required if there are changes to the planning enforcement system or legislation that affect it. Scottish Ministers may also require the Charter to be reviewed on a more frequent basis.
5. Once the Charter is agreed by Scottish Ministers, the planning authority is required to publish the Charter on the website and for copies to be sent for display in public libraries within the planning authority area.

#### **The Planning Enforcement Charter**

6. The first Cairngorms National Park Authority (CNPA) Planning Enforcement Charter was originally approved by the Planning Committee in June 2009 and has been regularly reviewed thereafter. The CNPA Planning Committee agreed to review the charter annually as a matter of good practice. The currently adopted Charter was approved by the Planning Committee in December 2022 and subsequently adopted following approval by Scottish Ministers. It is available on the CNPA website at <http://cairngorms.co.uk/park-authority/planning>

7. Since the Charter's previous adoption in December 2022, Scotland's fourth National Planning Framework (NPF4) has been adopted. This sets out Scotland's spatial principles, regional priorities, national developments and national planning policy and influences all aspects of the planning system in Scotland. Notwithstanding this, the Charter is considered to be fit for purpose, clearly and concisely explaining the way CNPA will carry out the planning enforcement function within the planning service and within the context of the other five local planning authorities. It has been used frequently to refer members of the public to when they make enforcement enquiries, where the Charter's clarity and simplicity is helpful.
8. It is therefore recommended that the CNPA Planning Enforcement Charter be approved by the CNPA Planning Committee again and submitted to the Scottish Ministers for approval, prior to formal adoption and publication on the website.

### **Next Steps**

9. Once agreed by the Planning Committee, the Charter will be sent to the Scottish Ministers for approval. Once approved, the Charter will be published online and copies will be sent for display in all the public libraries within the Park.

### **Ed Swales**

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### **Appendices**

Draft Planning Enforcement Charter

Cairngorms National Park Authorities Enforcement register