

CAIRNGORMS NATIONAL PARK AUTHORITY

FOR DECISION

Title: REVIEW OF PLANNING ENFORCEMENT CHARTER

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Management)**

Purpose of the Report

To seek approval of the Planning Enforcement Charter for adoption and publication.

Recommendation

That the Committee:

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

Background

1. 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.
2. A planning authority must keep their Charter under review and it must be reviewed and re-published at least every two years. More frequent reviews may be required if there are changes to the planning enforcement system or legislation. Scottish Ministers may also require the Charter to be reviewed on a more frequent basis.
3. Once the Charter is agreed by Scottish Ministers, it is a requirement 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

4. The first Cairngorms National Park Authority (CNPA) Planning Enforcement Charter was originally approved by the Planning Committee in June 2009. It was first reviewed in September 2014. A full review was then undertaken in 2015/2016 and the currently adopted Charter was reviewed most recently at the Planning Committee on 15 April 2016 and subsequently adopted in May 2016 following approval by Scottish Ministers. It is available on the CNPA website at <http://cairngorms.co.uk/park-authority/planning/>.

5. At the last review, it was simplified to make it easier for customers to read and understand, also setting out the roles of the different planning authorities within the National Park.
6. The current Charter is considered to still be fit for purpose, clearly and consisely 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. There have been no legislative or procedural changes since the Charter's previous adoption in May 2016. 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.
7. 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

8. 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.
9. The Planning Enforcement Charter will then be next be required to be reviewed in 2020, unless there are changes in legislation or procedures that require an earlier review, for example as a result of a the Planning Bill currently being considered by the Scottish Parliament.

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Appendices

- I. Draft Planning Enforcement Charter