



COTSWOLD
District Council

Local Enforcement Plan 2026 - 2028

Annex A

The powers available to the council include:

- **Planning Contravention Notices (PCNs):** Used to obtain information about activities on land or the nature of an alleged breach. Failure to respond or providing false information is a criminal offence.
- **Enforcement Notices:** The primary formal tool to remedy a breach. They require specific steps to be taken (or ceased) within a set timeframe. Failure to comply is a criminal offence.
- **Stop Notices:** Can be served alongside an Enforcement Notice to immediately stop an activity where there is serious harm to amenity or public safety. There is a risk of compensation claims if the notice is later found to be invalid and should only be used in exceptional circumstances.
- **Temporary Stop Notices (TSNs):** Used to temporarily halt unauthorised activity for up to 56 days to investigate or consider formal action. There is no general entitlement to compensation, but compensation may be payable in certain circumstances.
- **Enforcement Warning Notices (EWNs):** Used where a breach of planning control is suspected but not yet confirmed. They invite the recipient to either cease the unauthorised activity or submit a retrospective planning application. EWNs are a discretionary tool and do not carry criminal penalties, but failure to respond may lead to formal enforcement action.
- **Breach of Condition Notices (BCNs):** Used to enforce non-compliance with a condition attached to a planning permission. No right of appeal against the notice itself, but failure to comply is a criminal offence.
- **Listed Building Enforcement Notices:** Used to remedy unauthorised works to a Listed Building. Failure to comply is a criminal offence from the outset.
- **Tree Preservation Order (TPO) Notice:** Used to address unauthorised works to protected trees, including requiring replanting. Unauthorised works to TPO trees are a criminal offence.
- **Section 215 Notices (Untidy Land Notices):** Used to require the proper maintenance of land or buildings that adversely affect the amenity of the area.
- **High Hedge Remedial Notices:** Used to resolve disputes over high hedges that are adversely affecting a neighbour's reasonable enjoyment of their property.

- **Injunctions:** Sought through the High Court to prevent or restrain a breach of planning control, particularly in cases of persistent non-compliance or significant harm.
- **Prosecutions:** The Council may prosecute individuals or companies for failure to comply with enforcement notices, BCNs, or for criminal offences such as unauthorised works to Listed Buildings or TPO trees.
- **Direct Action:** In very exceptional circumstances, the Council may carry out the works required by an enforcement notice and recover the costs from the landowner.