Enforcement investigation process

**Step 1**
**Report Received**
The best way to report a matter to us is through our website at www.cornwall.gov.uk/environment-and-planning/planning/enforcement/report-a-breach-of-planning-control/
Please remember to include your telephone number.

**Step 2**
**Triage**
A member of the team will contact you, by phone wherever possible, if mandatory information is missing, or to discuss the matter to get a better understanding of the issues and to advise you whether we are able to assist. If further investigations are not necessary you will be advised of this and no further action will be taken.
If not, go to step 3.

**Step 3**
**Case required**
Further investigations are necessary.
A case will be created and an acknowledgement letter will be sent to you providing the reference number of the case.

**Step 4**
**Investigations underway**
such as:
- Check planning history
- Check any approved plans
- Site visit
- Meeting with owner/occupier
- Consider legislation and guidance
- Gather own evidence
- Consider third party evidence
- Discuss with other council teams or other agencies
- Land registry searches
- Obtaining information via formal notices
  (Planning Contravention Notice, Requisition for Information or Interview Under Caution)

**Step 5**
**Breach identified**
**Yes** - continue to step 6
**No** - Case will be closed and you will be provided with a summary of our findings

**Step 6**
**Working to find appropriate outcome**
such as:
- Regularise with application
- Negotiate remedial works
- Negotiate removal of unauthorised works

**Step 7**
**Negotiations successful**
**No** - Continue to Step 8
**Yes** - Case will be closed and you will be provided with a summary of our findings

**Step 8**
**Consider expediency of formal action**
such as:
- Assess against local and national policy
- Consider the harm caused and the material planning considerations
- Consultee comments
- Consider relevant appeal decisions/case law
- Consider personal circumstances and Human Rights
- Consult divisional member

**Step 9**
**Commence formal action**
such as:
- Draft notice and prepare appendices/report
- Discuss with owner/occupier
- Discuss implications with other teams within the Council
- Inform the local councillor
- Liaising with contractors
- Checking land registry details
- Site visit

*timescales are approximate, some complicated cases may take longer. A flexible approach must be taken, if circumstances change we may need to alter our course of action.*