

**APPENDIX 1**

The consultation paper sets out a series of 11 questions on various aspects of the proposed regulations, and the responses are as follows:-

**Fixed Penalty Notices**

**Question 1** - Do you support the proposal that penalties should be increased for continuing breaches and if not, why not?

**Response** - The proposal that penalties should be increased for continuing breaches is supported.

**Question 2** - Do you have any views on the proposed amounts for the fixed penalty, in particular the proposed initial amounts?

**Response** - The proposed amounts for the fixed penalties for BCN would not necessarily be a deterrent for larger companies, but the principle of maximum fines not exceeding 30% of the maximum fine on summary conviction is recognised, and the alternative of prosecution is understood.

**Question 3** - Do you have any views on the proposed increase in the amount of each subsequent fixed penalty, in particular with regard to the number of FPNs that would be required to reach the maximum and whether the fixed penalty should increase by a larger amount for each subsequent offence?

**Response** - The proposed increase in fixed penalties for EN results in there being eight steps to the maximum penalty, and an increase of £1,000 would be more appropriate. This would bring it into line with the increases for BCN, which at four steps are considered appropriate.

**Notification of Initiation of Development, Notice of Completion of Development and On-site Notices**

**Question 4** - Do you have any views on the proposed level of information requested in the NID or any suggestions for other information, for example declaring that any suspensive conditions had been met, might be useful?

**Response** - The level of information requested is considered to be appropriate. Suspensive conditions could be checked by the planning authority as soon as the NID is received. This would still be necessary even if a declaration were made.

**Question 5** - Are you content with the proposed time limits for recording relevant enforcement action?

**Response** - The proposed time limits for recording enforcement action are considered to be appropriate.

**Question 6** - Bearing in mind that the purpose of the notice is to make people aware of the development and direct them to the appropriate contacts for further information, are you content with the level of information to be included?

**Response** – The level of information requested is considered to be appropriate. Too much information could reduce the effectiveness of the notice.

**Question 7** - Are you content with the proposed categories of development for which notices would be required to be displayed, and if not, why not?

**Response** – The categories of development are considered to be appropriate.

**Question 8** - Do you consider the requirement for notices to be displayed in a prominent place, readily visible to the public and printed on durable material to be sufficient, or would you like to suggest other criteria for the siting, display, size, etc, of these notices.

**Response** – As each case is different the requirements are sufficient, but there should be the opportunity for planning authorities to judge whether the regulation has been met and require changes where necessary.

#### **Temporary Stop Notices**

**Question 9** - Are you content with the proposed draft Regulations for TSNs and if not, why not?

**Response** – Yes.

**Question 10** - Are there any other situations where you believe use of a Temporary Stop Notice should not be permitted?

**Response** – No.

**Question 11** - Do you wish to comment generally on the draft Regulations or other issues in respect of this consultation?

**Response** – No other specific comments are necessary.