

Planning Enforcement Enquiry Information Sheet

In accordance with Midlothian Councils adopted Planning Enforcement Charter the procedure for reporting a suspected breach of planning control is as follows:

1. To report a suspected breach of planning control you should write to: Planning Enforcement, Midlothian Council, Planning, Fairfield House, 8 Lothian Road, Dalkeith, EH22 3ZN, or, you can email planning.enforcement@midlothian.gov.uk. **Alternatively, you can fill in the form (overleaf) and return it to the Council at the stated address.**
2. All of the below information should be provided. Please note that your enquiry **may** not be investigated unless all of these written details have been received:
 - the address of the property concerned;
 - details of the suspected breach of planning control, including relevant dates when the works, use, or activity started, finished (if relevant), or whether it is still ongoing;
 - your name, telephone number and address;
 - an e-mail address if the complaint is submitted electronically;
 - information on how the suspected breach harms you or why it is of concern to you;
 - whether you wish your enquiry to be treated confidentially*.

**While the Council will do its best to honour requests for confidentiality, it is subject to the requirements of the Freedom of Information (Scotland) Act 2002 (FOI). In this regard the most recent rulings from the Commissioner indicate that information received in confidence in respect to enforcement is exempt from the requirements of the FOI. Requests for total confidentiality however may limit the ability of the authority to take formal action and cannot be guaranteed if the case leads to court proceedings.*
3. Following receipt of these written details the information provided is checked by the Council's Planning section to ensure that it involves a possible breach of planning control and includes all the details required for a possible investigation. After preliminary checking and compliance with the requirements for investigation, the complaint will be registered. Once registered, a written or e-mail acknowledgement will be sent.
4. Please note that a priority system is used for investigating registered complaints. The breaches of planning control that the Council considers to be of major significance will be given priority. This is based on matters such as the environmental effects and consequences of the breach, the significance of the site, and whether the works or activity subject of the complaint are actively ongoing or not. Giving priority to the investigation of registered complaints in this manner helps the Council to direct its enforcement resources to what it considers are the most important enforcement cases first.
5. A copy of Midlothian's adopted Planning Enforcement Charter can be viewed on the Councils website: www.midlothian.gov.uk

(Please turn over for enquiry form)

Complainants are required to write in as stated in the Councils adopted Enforcement Charter – Refer to notes overleaf. Alternatively you can fill out **ALL** of the required details on the form below and return the form to us. Anonymous enquiries will not be investigated.

PLANNING ENFORCEMENT ENQUIRY FORM	
1	<p>Complainants Details:</p> <p>Name:</p> <p>Postal Address:</p> <p>Post Code:</p> <p>Contact Phone Number:</p> <p>Email Address:</p>
2	<p>Location of alleged Breach of Planning Control:</p> <p>Site/Postal Address:</p> <p>Post Code (if known):</p> <p>Land Owner/Occupier (if known):</p>
3	<p>Details of alleged Breach of Planning Control:</p> <p>Description:</p> <p>Harm/Impact caused by alleged breach of planning control (helps to prioritise work):</p> <p>When did the development commence:</p> <p>In the case of building/engineering works – is the development still taking place:</p> <p style="text-align: center;">Yes No</p> <p>In the case of building/engineering works – when did the development finish:</p> <p>Frequency/timing (e.g. breach of construction hours condition):</p>
4	<p>Date Complaint Taken/Made:</p>