



2011 CHAPTER 25

PART 5

ENFORCEMENT

Enforcement notices

Issue of enforcement notice by councils

138.—(1) The council may issue a notice (in this Act referred to as an “enforcement notice”) where it appears to the council—

- (a) that there has been a breach of planning control in relation to any land in its district; and
 - (b) that it is expedient to issue the notice, having regard to the provisions of the local development plan and to any other material considerations.
- (2) A copy of an enforcement notice must be served—
- (a) on the owner and on the occupier of the land to which it relates; and
 - (b) on any other person having an estate in the land, being an estate which, in the opinion of the council, is materially affected by the notice.
- (3) The service of the notice must take place—
- (a) not more than 28 days after its date of issue; and
 - (b) not less than 28 days before the date specified in it as the date on which it is to take effect.