

## **ENFORCEMENT POLICY**

**EXECUTIVE MEMBER:** Cllrs A Holliday, G Blackwell, G Clements and N Williams  
**LEAD OFFICER:** Keith Parker – Head of Leisure and Environmental Services  
**REPORT AUTHOR:** Vic Emmerson – Environmental Health Manager

**Summary:** The report deals with an Enforcement Policy relating to various enforcement functions of the Council and seeks the adoption of it by the Council.

**Recommendation:** That subject to there being no objections by the OSC – EWB and OSC - SWB the Enforcement Policy shown at Appendix A be adopted by the Council.

**Impact on delivering the Corporate Plan:** None directly.

**Impact on other statutory objectives (e.g. crime & disorder, LA21):** The existence of a formally adopted Enforcement Policy will assist in the effective enforcement of legislation.

**Financial and human resource implications:** None

**Project & Risk Management:** None

### **Key Decision Status**

- **Financial:** N/A  
- **Ward:** N/A

**Other Ward Implications:** None

## **1. INTRODUCTION**

- 1.1 In the case of some of the Council's enforcement functions it is a legal requirement that there shall be an Enforcement Policy but, irrespective of any legal requirement, it is Government recommended best practice that all enforcement functions are covered by an Enforcement Policy.
- 1.2 Part of Best Value Performance Indicator 166 assesses local authorities in respect of their Enforcement Policies relating to what the Audit Commission describes as "Environmental health Services Component Functions" and which it defines as including Food Safety, Health & Safety, Port Health, Housing Standards, Pollution Control, Pest Control, Licensing and all further divisions within these categories.
- 1.3 It is recognised good practice and, in some cases, legally required, that Enforcement Policies are formally adopted by the Council.

## **2. ARGUMENT**

- 2.1 At present, not all of the Council's enforcement functions referred to at paragraph 1.2 above are covered by an Enforcement Policy. Some of the functions were carried out by the Council's former Development and Environment Business Unit and were covered by an Enforcement Policy.
- 2.2 At present, the Council's score in respect of BV 166 is 58% but if the Enforcement Policy shown at Appendix A is adopted the score will rise to 65%.

## **3. OPTIONS TO BE CONSIDERED**

- 3.1 The Council has no option other than to ensure that all of its enforcement functions referred to at paragraph 1.2 above are covered by an Enforcement Policy.
- 3.2 This report deals only with those enforcement functions covered by BV 166 and which are defined at paragraph 1.2 above.
- 3.3 The proposed policy is generic. As regards the enforcement functions relating to Food Safety and Health and Safety at Work there are separate more detailed policies and this is because the existence of such separate policies is a statutory requirement. It is the intention to have detailed policies for most, if not all, of the other enforcement functions.

## **4 CONCLUSIONS**

- 4.1 The Enforcement Policy at Appendix A is submitted for adoption.

### **List of Appendices**

Appendix A – Enforcement Policy

**List of Background Documents:** None

**List of Consultees:** Cllrs A Holliday, G Blackwell, G Clements and N Williams  
Keith Parker – Head of Leisure & Environmental Services  
Toni Magean – Open Spaces Manager  
Steve Bishop – Enforcement Unit Manager  
Martin Jepson – Head of Legal & Democratic Services  
Mike Tichford – Head of Regeneration