

Executive

Minutes of the meeting held on Wednesday 3 September 2014 at the Town Hall, Royal Leamington Spa at 6.00 pm.

Present: Councillor Mobbs (Chairman); Councillors Coker, Cross, Mrs Gallagher, Hammon, Shilton and Vincett.

Also present: Councillor Barrott (Chair of Finance & Audit Scrutiny Committee), Councillor Mrs Falp (Chair of Overview and Scrutiny Committee), Councillor MacKay (Independent Group Observer) and Councillor Wilkinson (Labour Group Observer).

An apology for absence was received from Councillor Caborn.

33. **Declarations of interest**

There were no declarations of interest.

34. **Minutes**

The minutes of the meetings held on 30 July and 13 August 2014 were taken as read and signed by the Chairman as a correct record.

Part 1

(Items on which a decision by Council is required)

35. **Enforcement Policy**

The Executive considered a report from Health and Community Protection which sought agreement on the adoption of a new enforcement policy which covered a range of regulatory services to demonstrate compliance with the Government's Regulators' Code.

The report explained that Local Authorities had a statutory duty to have regard to the Regulators' Code in developing the principles and policies which guide their regulatory activities. The Local Government Ombudsman would use the Code as a point of reference when examining complaints about local regulatory services. Adopting this enforcement policy would, therefore, mitigate against the risk of successful challenge.

The Department for Business, Innovation & Skills introduced a new Regulators' Code which came into force on 6 April 2014 and covered environmental protection, food safety, health and safety, licensing, private sector housing, public health, and waste. Its aim was to provide a regulatory framework that supported compliance and growth while enabling resources to be focussed where they were most needed. It set out a framework for proportionate and accountable regulatory delivery and established principles of how local authorities should engage with businesses to avoid imposing unnecessary regulatory burdens.

The Government's Better Regulation Delivery Office (BRDO) produced an example template to assist local authorities in drafting enforcement policies and this had been used to create the policy attached as Annex 1 to the report. The policy had been designed to apply to all the Council's regulatory activities. Whilst planning enforcement was still being considered by Ministers on whether it should be brought into BRDO's scope, it was proposed that this service be included within Warwick District Council's policy. There was also a requirement for individual services to publish their service standards setting out what those they regulate should expect from them so as to be accountable and transparent. It was anticipated that each service area identified in the enforcement policy would now review and publish these standards in consultation with those they regulate.

As this was a statutory duty, the Council needed to adopt an effective enforcement policy. However, alternative content could be considered, but the proposed version reflected the Government's recommended approach. Also, there was no requirement to produce a single Council-wide policy and Members could prefer service-specific policies.

The Overview and Scrutiny Committee noted the report and thanked officers for extra detail on service standard that was circulated at the meeting.

Councillor Coker endorsed the report, explaining that this policy set out clearly what the Council's responsibilities were.

It was therefore

Recommended that

- (1) Council adopt the generic enforcement policy as set out in Annex 1 to the report; and
- (2) Service Heads now review and publish their respective service standards to support the generic enforcement policy.

(The Portfolio Holders for this item were Councillors Coker, Hammon, Shilton & Vincett)

44. **Public and Press**

Resolved that under Section 100A of the Local Government Act 1972 that the public and press be excluded from the meeting for the following items by reason of the likely disclosure of exempt information within the paragraphs of Schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006, as set out below.

Minute No.	Para Nos.	Reason
45 & 50	3	Information relating to the financial or business affairs of any particular person (including the authority holding that information)

45. **Housing Benefits and Council Tax Reduction – Risk-Based Review**

The recommendations of the report were agreed.

The full minute for this item will be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Cross)

50. **South West Warwick Phase 9 Affordable Housing**

The recommendations of the report were agreed.

The full minute for this item will be set out in the confidential minutes of the meeting.

(The Portfolio Holder for this item was Councillor Vincett)