

**Title: Adoption of revised Enforcement Policy and Business Charter.**  
**Lead Officer: Marianne Rolfe**  
**Portfolio Holder: Judith Falp**  
**Public report / Confidential report: Public**  
**Wards of the District directly affected:**

Contrary to the policy framework: No  
 Contrary to the budgetary framework: No  
 Key Decision: Yes  
 Included within the Forward Plan: Yes  
 Equality Impact Assessment Undertaken:  
 Consultation & Community Engagement: Business representative organisations  
 have fed into the revisions of the Policy and Charter.  
 Final Decision: Yes  
 Accessibility checked: Yes

**Officer/Councillor Approval**

<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	23rd August 2021	Andrew Jones, Tony Perks
Head of Service	23rd August 2021	Marianne Rolfe, Robert Weeks, Lisa Barker, Julie Lewis
CMT	31st August 2021	Andrew Jones, Tony Perks
Section 151 Officer	23 <sup>rd</sup> August 2021	Mike Snow
Monitoring Officer	23rd August 2021	Phil Grafton
Finance	23rd August 2021	Mike Snow
Portfolio Holder(s)	23rd September 2021	John Cooke, Judith Falp, Jan Matecki, Alan Rhead

## **1. Summary**

- 1.1. To seek the Council's adoption of the revised joint Warwick District and Stratford District Council Enforcement Policy and Business Charter covering a range of the two Council's regulatory services

## **2. Recommendation**

- 2.1. That Cabinet recommends to Council the adoption of the revised Enforcement Policy and its associated appendices as set out in appendix 1.
- 2.2. That Cabinet recommends to Council the adoption of the Business Charter as set out in appendix 2.

## **3. Reasons for the Recommendation**

- 3.1. The Enforcement Policy has been reviewed and updated to reflect a joint policy across the two councils, inclusions of additional regulators and changes to enforcement powers.
- 3.2. The Warwick District Council policy was last reviewed in 2018.
- 3.3. The main changes are:
  - Inclusion of additional enforcement areas within the scope of the policy. Namely: parking.
  - Inclusion of an SDC Development Service appendix to the enforcement policy.
  - Updates to legislation and governing guidance for relevant enforcement activities.
  - Updated wording to provide additional clarity and understanding.
- 3.4. The Business Charter has been reviewed and updated to reflect a joint business charter across the two councils and the support organisations which represent our businesses.
- 3.5. The Warwick district council charter was last reviewed in 2018 and is being introduced for Stratford District Council.
- 3.6. The main changes are:
  - Updated wording to provide additional clarity and understanding.
  - Inclusion of Stratford District Council contact details.

- 3.7. The Department for Business, Innovation & Skills introduced the Regulators' Code which came into force on 6 April 2014. Its aim is to provide a regulatory framework that supports compliance and growth while enabling resources to be focussed where they are most needed. It sets out a framework for proportionate and accountable regulatory delivery and establishes principles of how local authorities should engage with businesses to avoid imposing unnecessary regulatory burdens.
- 3.8. Business Support Organisations have been consulted regarding the policy and charter. These included:
- Landlords Groups
  - Chamber of Commerce
  - Federation of Small Businesses
- 3.9 All comments received from the organisations have been given due consideration and incorporated into the Policy and Charter as appropriate. Those comments which are better suited for inclusion in other relevant documents or upon the website have been forwarded for consideration in those publication reviews.

### 4. Policy Framework

#### 4.1. Fit for the Future (FFF)

- 4.1.1. The Council's FFF Strategy is designed to deliver the Vision for the District of making it a Great Place to Live, Work and Visit.
- 4.1.2. The FFF Strategy has 3 strands, People, Services and Money, and each has an external and internal element to it, the details of which can be found [on the Council's website](#). The table below illustrates the impact of this proposal if any in relation to the Council's FFF Strategy.

#### 4.2. FFF Strands

##### 4.2.1 External impacts of proposal(s)

**People - Health, Homes, Communities** – The Enforcement policy and Business Charter clearly communicates the council's approach to enforcement activities undertaken by its regulators and how they will engage with the business community.

**Services - Green, Clean, Safe** - The Enforcement policy and Business Charter clearly communicates the council's approach to enforcement activities undertaken by its regulators and how they will engage with the business community

**Money- Infrastructure, Enterprise, Employment** - The Enforcement Policy clearly communicates the Council's approach to enforcement activities undertaken by its regulators. Providing advice on how determinations are

made. The business charter explains where advice can be sought and where the council regulators can be of assistance to businesses.

### 4.2.2. **Internal impacts of the proposal(s)**

**People - Effective Staff** – Supports staff in determining enforcement action need. The joint nature of the policy promotes consistency across the two council areas.

**Services - Maintain or Improve Services** - Promotes consistency: Allows the authority to demonstrate its commitment and compliance with the Regulators Code and 'Better Business for All' agenda.

**Money - Firm Financial Footing over the Longer Term** – none identified

### 4.3. **Changes to Existing Policies**

4.4. The report seeks to supersede the previous Enforcement Policy and its associated appendix introduced in 2018 of WDC.

4.5. The report seeks to supersede the previous Business Charter for WDC introduced in 2018 and introduce a Business Charter for SDC.

### 4.6. **Impact Assessments**

4.7 There are no identified negative impacts of associated with this report.

## 5. **Budgetary Framework**

5.1. There are no budgetary implications associated with this report.

## 6. **Risks**

6.1 Local Authorities have 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 will be using the Code as a point of reference when examining complaints about local regulatory services. Adopting this enforcement policy will therefore, mitigate against the risk of successful challenge.

6.2 Council regulators have a duty to support economic growth through the better business for all agenda. The Business Charter demonstrated the council regulators business offer to enable business to succeed.

## 7. **Alternative Option(s) considered**

7.1. As this is a statutory duty, the Council needs to adopt an effective enforcement policy.

7.2. Alternative content could be considered. However, the proposed version reflects the Government's recommended approach. There is no requirement to produce a single Council-wide policy and Members could prefer service-specific policies rather than the associated appendix which outline variations

## Agenda Item 4

of specific powers which are not detailed within the corporate Enforcement Policy.

- 7.3. There is no requirement to have a Business Charter and therefore councillors could choose not to adopt the Charter. However, the content of the Charter reflects the Better Business for All agenda which seeks to ensure that businesses are supported by regulators and a level playing field is established.
- 7.4. WDC has had a business charter in place since 2018 and has received only positive feedback in relation to the balanced approach of the Charter and Enforcement Policy.