

## Appendix 2: Comments received

| Comment  | Action  |
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| <p>Thank you for sending across the consultation on Warwick District Council enforcement policy. We are grateful for the chance to comment on the policy.</p> <p>As you are after general comments on the policy I have attached my comments in the document attached. Hope this is ok. These are relatively minor comments but some more substantial points providing an overview of the comments are below:</p> <p><input type="checkbox"/> We welcome the opportunity to comment on the policy. It is important that regulators set out their enforcement policy, explaining how they respond to non-compliance and we therefore welcome this document. In general this document provides a clear and transparent overview of the enforcement policy for WDC and the inclusion of principles such as proportionate, transparent, and targeted are clearly welcome.</p> <p><input type="checkbox"/> It is also good to see It is good to see references to risk (including earned recognition) and proportionate sanctions within the document. We welcome approaches to earned recognition being taken and would like to see inspectors taking into account the compliance record of those being regulated, and to consider all available and relevant data on compliance, including evidence or relevant external verification. We also believe that any risk frameworks in place should be transparent and reviewed regularly.</p> <p><input type="checkbox"/> While in principle we understand the need to reference prosecution and other sanctions available to ensure businesses are fully aware of what tools are available to the regulator, any good enforcement policy must start with advice and guidance which steps up to prosecution for the most serious offences. I wonder if it could be earlier in the enforcement policy how enforcement options generally progress from advice and guidance through to warnings, penalties, and prosecution – for example I felt that advice and guidance didn't really get mentioned as a first step until section 6?</p> <p><input type="checkbox"/> It would be good to have more transparent information on costs involved, for example the costs of works in default and fixed penalty costs – could this be highlighted on the website?</p> | <p>Noted.</p> <p>Noted</p> <p>Noted. Wording reviewed.</p> <p>Noted. Will review relevant associated websites and documents to provide clarity.</p> |
| <p>It would be good to reflect here or elsewhere in the document the organisations responding through the consultation and therefore inputting into the process – therefore it should be wider than just Chamber and Landlords steering group</p>  | <p>Agreed and corrected.</p>  |
| <p>Would it be worthwhile referencing the principles of good regulation – this would help demonstrate that there is a commitment to these.</p>   | <p>Noted. Feel these are explained within the document.</p>   |
| <p>While we welcome the proportionate and targeted approach there</p>  | <p>Reviewed wording to</p>  |

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| is no mention here good enforcement generally starting with advice, guidance and persuasion. It would be good to see either here or elsewhere in the document how enforcement options then generally progress through warnings, penalties and prosecution depending on the seriousness of the offence and non-compliance. | ensure clarity is provided.  |
| This is welcome and an approach that businesses would support   | Noted  |
| In this summary it would be good to see a clear direction that enforcement is the last resort and that efforts will be made to bring businesses into compliance before sanctions and further action is taken  | Wording altered to provide clarity to demonstrate that this is the councils approach. Although not always appropriate. |
| It might be useful to have more information about what a primary authority scheme is or a link to more information about this?  | Additional detail provided to explain terms. Full information contained within alternative documents                   |
| It would be good to see here a commitment to advice and guidance in the first instance and to make businesses feel confident about approaching for advice without fear of triggering enforcement action   | Noted. This information contained within an alternative document   |
| We would like to see regulators always take into account compliance record of those they regulate in making an assessment of risk   | Noted.   |
| It is important for businesses that any models used in assessing risk are transparent and clear. Any evidence such as compliance history and other information such as external verification should be taken into account in any earned recognition approach  | Noted  |
| Are there alternatives to this such as photographic evidence, email evidence etc – particularly in minor cases to avoid increasing burden on businesses through another regulatory visit?   | Noted. The scheduled visits are the next required visit by risk framework not visits to check work completed.          |
| This is welcome and supportive of businesses but it would be good to see this section reflected earlier in the policy if possible, maybe in the summary section so it is clearer at the outset?   | Wording reviewed.  |
| Where businesses have offered a voluntary undertaking or made good any harm caused consideration should be given to publicising this particularly where initial offences have been publicised. This will go some way to restoring the businesses reputation in rectifying any breaches.                                   | Noted.   |
| We would welcome these costs being more transparent to the business – could this be done through further information on the website?  | Noted. Fees and charges are provided on the council's website.   |
| It would be good if reference to appeals could also be made higher up in the document.  | Wording reviewed.  |