

 <b>Executive – 3<sup>rd</sup> September 2014</b>		<b>Agenda Item No. 3</b>
<b>Title</b>	Enforcement Policy	
<b>For further information about this report please contact</b>	Grahame Helm (01926 – 456714) <a href="mailto:environment@warwickdc.gov.uk">environment@warwickdc.gov.uk</a>	
<b>Wards of the District directly affected</b>	All wards	
<b>Is the report private and confidential and not for publication by virtue of a paragraph of schedule 12A of the Local Government Act 1972, following the Local Government (Access to Information) (Variation) Order 2006?</b>	No	
<b>Date and meeting when issue was last considered and relevant minute number</b>		
<b>Background Papers</b>	None	

<b>Contrary to the policy framework:</b>	No
<b>Contrary to the budgetary framework:</b>	No
<b>Key Decision?</b>	No
<b>Included within the Forward Plan? (If yes include reference number)</b>	No
<b>Equality and Sustainability Impact Assessment Undertaken</b>	Yes

<b>Officer/Councillor Approval</b>		
<b>Officer Approval</b>	<b>Date</b>	<b>Name</b>
Chief Executive/Deputy Chief Executive	08.08.14	Chris Elliott
Head of Service	04.08.14	Richard Hall, Bill Hunt, Robert Hoof, Tracy Darke
CMT	11.08.14	Andy Jones
Section 151 Officer	18.08.14	Mike Snow
Monitoring Officer	18.08.14	Andy Jones
Finance	18.08.14	Mike Snow
Portfolio Holder(s)	18.08.14	Cllr Michael Coker, Cllr Dave Shilton, Cllr Norman Vincett, Cllr John Hammon
<b>Consultation &amp; Community Engagement</b>		
Coventry & Warwickshire Chamber of Commerce. South Warwickshire Landlords' Steering Group.		
<b>Final Decision?</b>		Yes
<b>Suggested next steps (if not final decision please set out below)</b>		

## 1. **SUMMARY**

- 1.1 To seek the Council's adoption of a new enforcement policy covering a range of regulatory services to demonstrate compliance with the Government's Regulators' Code.

## 2. **RECOMMENDATION**

- 2.1 That Executive recommends Council to adopt the generic enforcement policy as set out in Annex 1.
- 2.2 That Service Heads now review and publish their respective service standards to support the generic enforcement policy.

## 3. **REASONS FOR THE RECOMMENDATION**

- 3.1 To ensure that the Council can demonstrate that it has regard to the Regulators' Code in its regulatory activities.

## 4. **POLICY FRAMEWORK**

- 4.1 **Policy Framework** – This report does not bring forward any changes to the policy framework.
- 4.2 **Fit for the Future** – The Council's purpose is to improve the quality of life for everyone who lives in, works in or visits Warwick District. With our partners, we aspire to build sustainable, safer, stronger and healthier communities. As this policy aims to target enforcement activities in a proportionate manner it will contribute to these aims.
- 4.3 **Sustainable Community Strategy** – The effective targeting of regulatory activities contributes towards the Health & Wellbeing and Prosperity priority themes within the Sustainable Community Strategy. It will help everyone to enjoy a healthy and safe lifestyle and should encourage economic growth by giving commerce the confidence to know that we offer support for compliant businesses whilst targeting our regulatory services on non-compliance to ensure equality in business competition.

## 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.

## 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, but the proposed version reflects the Government's recommended approach. Also there is no requirement to produce a single Council-wide policy and Members could prefer service-specific policies.

## 8. **BACKGROUND**

- 8.1 The Department for Business, Innovation & Skills introduced a new Regulators' Code which came into force on 6 April 2014 and covers environmental protection, food safety, health and safety, licensing, private sector housing, public health, and waste. 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.
- 8.2 The Government's Better Regulation Delivery Office (BRDO) has produced an example template to assist local authorities in drafting enforcement policies and this has been used to create Annex 1. This policy has been designed to apply to all the Council's regulatory activities. Whilst planning enforcement is still being considered by Ministers on whether it should be brought into BRDO's scope, it is proposed that this service be included within Warwick District Council's policy. There is 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 is anticipated that each service area identified in the enforcement policy will now review and publish these standards in consultation with those they regulate.