
REPORT TO:	Environmental and Development Services Committee	AGENDA ITEM: 13
DATE OF MEETING:	18th November 2010	CATEGORY: DELEGATED
REPORT FROM:	DIRECTOR OF COMMUNITY SERVICES	OPEN
MEMBERS' CONTACT POINT:	CARL JACOBS	DOC:
SUBJECT:	General Enforcement Policy for Environmental Services	REF: CBJ/enforcement
WARD(S) AFFECTED:	ALL	TERMS OF REFERENCE: EDS 13 & 14

1.0 Recommendations

- 1.1 That members approve the General Enforcement Policy and Associated Guidance, as attached at Annex 1, and that subsequent minor alterations to the policy can be approved by the Head of Environmental Services.

2.0 Purpose of Report

- 2.1 This report is to seek member approval for revisions to Environmental Services General Enforcement Policy

3.0 Detail

- 3.1 It is a requirement of the Audit Commission and other Government Organisations that each Local Authority produces an Enforcement Policy for its regulatory functions. The policy informs all interested parties the principles that will be followed and methods that will be adopted when enforcement action is or is not taken. It additionally informs officers of the steps that must be followed in the enforcement of the relevant Acts.
- 3.2 Developments in legislation, case law and national guidance means that existing Enforcement Policies now require review. It has been decided to bring together Environmental Services 5 current Enforcement Policies into a single document. Through specialist appendices the new policy will cover the particular issues arising from the different specialised areas of Enforcement that Environmental Services may cover.
- 3.3 The Policy outlines the enforcement procedures of the sections and follows the principles of both the Regulators Compliance Code and the Human Rights Act 1998.
- 3.4 In general it specifies the options available to enforce the Legal provisions of the following functions:-

1. Food Safety Legislation
2. Health and Safety Legislation
3. Private Sector Housing
4. Private Hire
5. Environmental Health Protection
6. Animal Welfare
7. Licensing Activities
8. Abandoned Vehicles
9. Private water Supply
10. Infectious Disease legislation
11. Pest Control Activities.

3.4 The format has been amended to ensure the document is subject to a full document quality control system.

4.0 Financial Implications

4.1 There are no major financial implications in respect to this report.

5.0 Corporate Implications

5.1 None

6.0 Community Implications

6.1 The Enforcement Policy will be publicised in various ways, but particularly on the web site, and for example certain standard letters contain information that the Policy can be found on the Councils web site. We welcome comments from business and the public regarding the policy.

7.0 Background Papers

7.1 **Annex 1 General Enforcement Policy for Environmental Health Division**