

**WYRE FOREST DISTRICT COUNCIL**

**LICENSING AND ENVIRONMENTAL COMMITTEE**

**7<sup>TH</sup> APRIL 2008**

**Environmental Health and Licensing Enforcement Policies**

<b>OPEN</b>	
<b>RESPONSIBLE OFFICER:</b>	<b>Head of Planning, Health and Environment</b>
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<b>APPENDICES:</b>	Appendix 1 – Enforcement Policy for Environmental Health and Licensing Appendix 2 – Air Pollution Control Enforcement Policy Appendix 3 – Noise Control Enforcement Policy Appendix 4 – Food Safety Enforcement and Prosecution Policy Appendix 5 – Enforcement Policy for Housing Appendix 6 – Health and Safety Enforcement Policy

**1. PURPOSE OF REPORT**

- 1.1 To update the Environmental Health and Licensing, and Housing Enforcement Policies to take account of the new “Regulators’ Compliance Code” which comes into force in April 2008.

**2. RECOMMENDATION**

**RECOMMENDED to Cabinet to RECOMMEND to Council:**

- 2.1 **The Enforcement Policies attached as appendices to this report be adopted.**

**3. BACKGROUND**

- 3.1 The Environmental Health and Licensing Section is required to have current Enforcement Policies which explain in detail how the section will carry out its regulatory functions.

- 3.2 Current guidance, supported by BVPI 166 states that a separate Enforcement policy is available for each major area of work and these policies comply with the Government's 'enforcement concordat'.
- 3.3 As from 6<sup>th</sup> April 2008, the "Regulators' Compliance Code" will determine how the Council carries out its regulatory functions and the Council must have regard to its contents.
- 3.4 The Code supports the Government's better regulation agenda and is based on the recommendations in the 'Hampton Report'. Its purpose is to promote efficient and effective approaches to regulatory inspection and enforcement which improve regulatory outcomes without imposing unnecessary burdens on business, the third sector and other regulated entities.
- 3.5 The Code stresses the need for regulatory entities to adopt a positive and proactive approach towards ensuring compliance by:
- helping and encouraging regulated initiates to understand and meet regulatory requirements more easily, and
  - responding proportionately to regulatory breaches.

#### **4. KEY ISSUES**

- 4.1 As the new code will have statutory backing, it is essential to ensure that the Council's Enforcement Policies reflect the "Regulators' Compliance Code".

#### **5. FINANCIAL IMPLICATIONS**

- 5.1 There are no direct financial implications arising from this report.

#### **6. LEGAL AND POLICY IMPLICATIONS**

- 6.1 As from 6<sup>th</sup> April 2008 the Council will by duty bound to take the Code into account whilst undertaking its regulatory duties.
- 6.2 By embedding the code into its Enforcement Policies the Council can be more confident of compliance and there will be a lowered risk of regulatory action failing due to non-compliance.

#### **7. RISK MANAGEMENT**

- 7.1 There are no risk management implications arising from this report.

**8. CONCLUSION**

- 8.1 The adoption of these Enforcement Policies will help the Council meet its statutory obligations and to work more efficiently.

**9. CONSULTEES**

- 9.1 Head of Legal and Democratic Services.

**10. BACKGROUND PAPERS**

- 10.1 "Regulators' Compliance Code"

12.3.08