

Approval of the South Somerset District Council's Regulatory Services Enforcement Policy 2016 - 2020 and the Environmental Protection Enforcement Policy 2016 - 2020

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Purpose of the Report

To consider and adopt and approve as fit for purpose South Somerset District Council's Regulatory Services Enforcement Policy 2016-2020 in Appendix 1 and the Environmental Protection Enforcement Policy 2016-2020 in Appendix 2.

Forward Plan

This report appeared on the Executive Forward Plan with an anticipated presentation date of July 2016.

Public Interest

The policies attached to this report explain the council's approach to enforcement activity. This is to reassure the public and others concerned that the council deals with enforcement in a fair, considered and transparent manner.

Recommendations

That the District Executive consider and agree to adopt as Council Policy and approve as fit for purpose:-

1. South Somerset District Council's Regulatory Services Enforcement Policy 2016-2020 in Appendix 1.
2. The Environmental Protection Enforcement Policy 2016-2020 in Appendix 2.

Report

The Government published a new Regulators Code in 2014. Section 6 of that code¹ sets out the Government's expectation that local authorities will ensure that their approach to their regulatory activities is transparent and easily understood. The provisions of Section 6 includes an expectation that local authorities will publish a clear set of service standards, setting out what those they regulate should expect from them. This includes their enforcement policy, explaining how they respond to non-compliance.

Published service standards are important for regulators to show that they are meeting their responsibility under the statutory principles of good regulation² to be accountable

¹For further information on the Regulators' Code visit BRDO's website: www.gov.uk/government/publications/regulators-code

²Section 21, Legislative and Regulatory Reform Act 2006, available at www.legislation.gov.uk

and transparent about their activities. The Regulators' Code requires that published service standards should be easily accessible, clearly signposted, and kept up-to-date.

The Better Regulation Delivery Office (BRDO) has worked with a number of groups, including the Local Authority Reference Panel, Local Enterprise Partnerships (LEPs) and others, to explore and suggest what and how service standards and policies might be presented and how the local authority can ensure that businesses can access them.

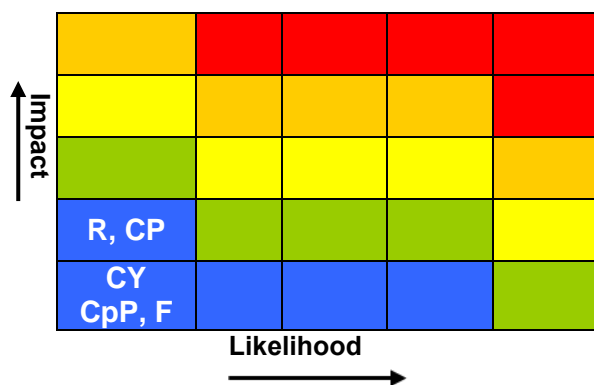
Using the guidance provided by the BRDO the South Somerset District Council's Regulatory Services Enforcement Policy 2016-20 has been produced by SSDC and the Somerset Heads of Regulatory Services Group and represents a common policy across the county. This common approach supports increased collaborative working and provides a robust framework for enforcement within which authorised officers can work. Such an approach will support consistent working for the benefit of all businesses and the public throughout Somerset. This document covers the enforcement activity of the main SSDC departments concerned with enforcement, these being Environmental Health, Planning (Development Management), Licensing and Building Control. Some other departments such as Revenues and Benefits have their own specialist enforcement legislation that do not readily fit into a general policy and are not covered here.

In addition to this it has been decided to produce and adopt the Environmental Protection Enforcement Policy 2016-20 in Appendix 2. This separate policy document has been produced to meet audit requirements in order to give more specific detailed advice covering the work of the Environmental Protection Unit, part of the SSDC's Environmental Health service, and a key regulatory service.

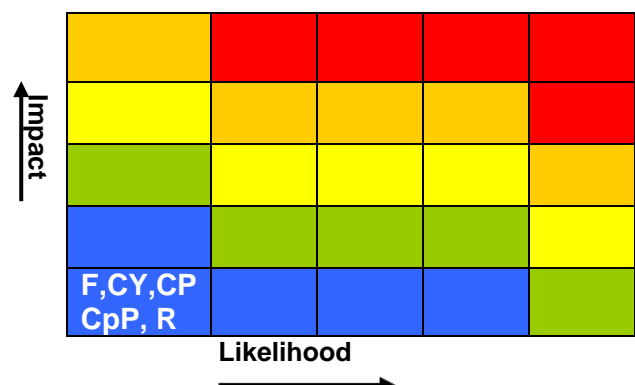
This latter policy document is primarily designed to provide operational detail and policy guidance to officers in relation to enforcement options for environmental offences dealt with by the Environmental Protection Unit. This policy should be read in conjunction with South Somerset District Council's Regulatory Services Enforcement Policy 2016-2020 referred to above.

Risk Matrix

Risk Profile before officer recommendations



Risk Profile after officer recommendations



Key

Categories	Colours <i>(for further detail please refer to Risk management strategy)</i>
R = Reputation	Red = High impact and high probability
CpP = Corporate Plan Priorities	Orange = Major impact and major probability
CP = Community Priorities	Yellow = Moderate impact and moderate probability
CY = Capacity	Green = Minor impact and minor probability
F = Financial	Blue = Insignificant impact and insignificant probability

Financial / Other Implications

There are no financial implications to this report.

Council Plan Implications

This report seeks to meet the corporate aim of providing outward looking, accountable, and responsive services.

Carbon Emissions and Climate Change Implications

There are no climate change or carbon emission implications to this report.

Equality and Diversity Implications

This policy has undergone a full equality impact assessment.

Privacy Impact Assessment

There are no privacy implications to this report.

Background Papers

Food & Safety Service Plan 2015/16
Streetscene Audit - SWAP 2014
