

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting30th November 2006

1. Title of Item/Report

Regulatory Services Enforcement Policy

2. Record of the Decision

Cabinet was reminded that the Council had formally adopted the Enforcement Concordat in August 2001. Prior to the introduction of 'The Enforcement Concordat' by the Better Regulation Unit of the Cabinet Office in 1998 the regulatory services of the Council had been responsible for devising and implementing their own enforcement policies without the benefit of any central guidance. Regulatory services could be defined as those services that may from time to time institute criminal proceedings against individuals as a consequence of fulfilling the authorities statutory functions. These include Trading Standards and Licensing, Environmental Health, Building Control, Waste Management, Car Parking functions etc. In April 2003 Cabinet approved a combined Regulatory services Enforcement Policy for the authority

The Authority was required, as part of the concordat, to publish its enforcement policy for its regulatory services, to monitor compliance with the policy and to keep it under review. The opportunity had been taken to review the policy in the light of both changing legislation/duties and current practice. Consultation had taken place on the proposed revised policy by means of a public notice in a local newspaper, the Trading Standards & Licensing website and through 'newsletters' to relevant trade sectors. No comments had been received on the proposed revised document.

Best Value Performance Indicator 166 required both Trading Standards and Licensing and Environmental Health Units to have a written and published enforcement policy, formally endorsed by members that complied with the requirements of the enforcement concordat and took into account "The Code for Crown Prosecutors". The elements of BV166 that related to the enforcement policy carried a total of 10% of the available 'score' for the indicator.

The proposed revised Regulatory Services Enforcement Policy was provided for Members and, subject to approval, it was intended that the

policy would be adhered to by all of the Authority's regulatory services. Changes from the previous policy were highlighted.

RESOLVED that the proposed revised policy be approved

3. Reasons for the Decision

The Council had formally adopted the Enforcement Concordat in August 2001. The Authority was required, as part of the concordat, to publish, and keep under review, its enforcement policy for its regulatory services. The proposed revised policy statement followed a review and consultation exercise to update the policy. Best Value Performance Indicator 166 required both Trading Standards and Licensing and Environmental Health Units to have a written and published enforcement policy, formally endorsed by members that complied with the requirements of the enforcement concordat and took into account "The Code for Crown Prosecutors".

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

Not applicable.

7. Date and Time by which Call In must be executed

By no later than midnight on Friday 8th December 2006.

Proper Officer

05 June 2006