

STOCKTON-ON-TEES BOROUGH COUNCIL

CABINET RECOMMENDATIONS

PROFORMA

Cabinet Meeting16th March 2017

1. Title of Item/Report

Review of the Council's Regulatory Service Enforcement Policy

2. Record of the Decision

Consideration was given to a report on the review of the Council's Regulatory Service Enforcement Policy.

The Regulatory Services Enforcement Policy was designed to make sure that everyone knew the overriding principles that the Council's Regulatory Services would apply when carrying out enforcement work. The current version of the Policy was approved by Cabinet in September 2011 (minute CAB 50/11 refers) and was due for review and renewal.

The Enforcement Concordat, introduced by the Cabinet Office in 1998, was formally adopted by Stockton-on-Tees Borough Council in August 2001. Prior to the introduction of the Enforcement Concordat, each regulatory service within the Authority was responsible for devising and implementing their own enforcement policies without the benefit of any central guidance. A copy of the Enforcement Concordat was attached to the report.

In April 2003, Cabinet approved a combined Regulatory Services Enforcement Policy for the first time. This Policy had subsequently been revised in November 2006 and in September 2011. This process therefore represented the third review of the Council's Regulatory Services Enforcement Policy.

Enforcement, in the context of this Policy, included action aimed at ensuring that individuals or businesses complied with the law, carried out in the exercise of, or against the background of, delegated statutory powers. This was not limited to formal enforcement action such as prosecution, but included, for example, the provision of advice to aid compliance.

The Enforcement Policy therefore covered all of the Council's Regulatory Services, including Trading Standards, Licensing, Environmental Health, Animal Health, Planning, Building Control and those functions dealing

with car parking enforcement, anti-social behaviour, environmental protection, housing and benefits enforcement.

In April 2014, the Government issued updated national guidance to regulators in the form of the Regulators' Code, a copy of which was attached to the report. The requirements of the new Regulators' Code had been included in the revised draft of the Policy.

Regulatory Services within the Council had been consulted on the draft revised Policy. In addition consultation had taken place by means of a public notice in a local newspaper and via the Trading Standards and the 'Consultation Have Your Say' pages of the Council's website; this consultation closed on 31 January 2017. No comments were received from any member of the public.

The draft revised Regulatory Services Enforcement Policy showing track changes was attached to the report.

RESOLVED that the proposed revised the Council's Regulatory Service Enforcement Policy be approved.

3. Reasons for the Decision

Stockton-on-Tees Borough Council is required, as part of Government's Regulators' Code, to publish, and keep under review, an Enforcement Policy relating to the activities of its Regulatory Services. The proposed revised policy statement follows a review and consultation exercise carried out in order to update the content of the Policy.

4. Alternative Options Considered and Rejected

None

5. Declared (Cabinet Member) Conflicts of Interest

None

6. Details of any Dispensations

N/A

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

Midnight, 24 March 2017

Proper Officer
20 March 2017