

# EXECUTIVE BOARD

## 26<sup>TH</sup> JUNE 2017

### CORPORATE ENFORCEMENT POLICY

#### RECOMMENDATIONS / KEY DECISIONS REQUIRED:

- 1.1. To update the text in the attached Service Standard relation to 'Appointments' section to the following:

*All of our Customer Service Centres operate an appointments system. The aim is to improve the customer experience and improve service delivery. You can now book an appointment at any of our Customer Service Centres in Ammanford, Carmarthen and Llanelli at a date and a time to suit you.*

*If you wish to make an appointment or to discuss any Council matter then please telephone our Contact Centre on 01267 234567. You are able to book and manage your appointments online'*

- 1.2. To commence a consultation process with appropriate stakeholders for a period of 6 weeks
- 1.3. To consider the comments made during the consultation process, with a view to adopting the Corporate Enforcement Policy.

#### REASONS:

The Regulators' Code came into statutory effect on 6 April 2014 under the [Legislative and Regulatory Reform Act 2006](#) and provides a clear, flexible and principles-based framework for how regulators should engage with those they regulate.

The regulators and regulatory functions to which the Regulators' Code applies are specified in the [Legislative and Regulatory Reform \(Regulatory Functions\) Order 2007](#), as amended in [2009](#), [2010](#) and [2014](#). Local authorities must have regard to it when developing policies and procedures that guide their regulatory activities.

#### Relevant scrutiny committee to be consulted NO

Exec Board Decision Required	YES
Council Decision Required	NO

#### Executive Board Member Portfolio Holder:

Cllr. P. Hughes(Public Protection Portfolio Holder)

<b>Directorate</b> <b>Name of Head of Service:</b> Robin Staines <b>Report Author:</b> Sue Watts	<b>Designations:</b> Head of Housing, Public Protection and Provider Services  Environmental Health and Licensing Manager	<b>Tel Nos.</b> <b>E Mail Addresses:</b> 01267 228960 <a href="mailto:RStaines@carmarthenshire.gov.uk">RStaines@carmarthenshire.gov.uk</a>  01267 228929 <a href="mailto:sewatts@carmarthenshire.gov.uk">sewatts@carmarthenshire.gov.uk</a>
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**EXECUTIVE SUMMARY**  
**EXECUTIVE BOARD**  
**26<sup>TH</sup> JUNE, 2017**

**CORPORATE ENFORCEMENT POLICY**

**Background**

Carmarthenshire County Council (the Council) is committed to protecting the community from harm and enforcement is one of the tools used by this Authority to fulfil this commitment. The Council believes that 'prevention is better than cure' and that through actively working with businesses, individuals and the community, by providing advice and assistance with regards compliance, we can reduce the need for enforcement action. There are, however, occasions where enforcement is the only option. Where enforcement action is needed, the council will take a consistent, fair and proportionate approach so as not to place too onerous a burden on local businesses, organisations, customers and the public.

Regulatory services within the Local Authority must have consideration to Section 6 of the Regulators' Code. This sets out Government's expectation that local authorities will ensure 'good regulation' and that their approach to their regulatory activities is transparent. The provisions also include 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.

This policy applies to the following specified regulatory areas:

- Environmental Health
- Trading Standards
- Licensing
- Animal Welfare,
- Private Sector Housing,
- Public Sector Housing,
- Planning,
- Building Regulation,
- Waste Regulation,
- Highways,
- School attendance
- Benefit Regulation

and any other area that may become applicable by statute.

The Service Standards and the Enforcement Policy have been collated as a result of

corporate consultation within the relevant Departments. Approval is sought to consult widely by means of the corporate website.

During the political process, the section for 'appointments' (page 3 of the attached Service standard) has progressed to one of operating an appointments system rather than operation a 'pilot' scheme. Therefore, it is recommended that the final document reflect this and the relevant section be re-worded to the following:

*'All of our Customer Service Centres operate an appointments system. The aim is to improve the customer experience and improve service delivery. You can now book an appointment at any of our Customer Service Centres in Ammanford, Carmarthen and Llanelli at a date and a time to suit you.*

*If you wish to make an appointment or to discuss any Council matter then please telephone our Contact Centre on 01267 234567. You are able to book and manage your appointments online'.*

DETAILED REPORT ATTACHED ?

YES

## IMPLICATIONS

I confirm that other than those implications which have been agreed with the appropriate Directors / Heads of Service and are referred to in detail below, there are no other implications associated with this report :

Signed: Robin Staines

Head of Housing, Public Protection and Provider Services

Policy, Crime & Disorder and Equalities	Legal	Finance	ICT	Risk Management Issues	Staffing Implications	Physical Assets
YES	YES	NONE	NONE	YES	NONE	NONE

### 1. Policy, Crime & Disorder and Equalities

Section 6 of the Regulators' Code which sets out Government's expectation that local authorities will ensure 'good regulation' and that their approach to their regulatory activities is transparent. This includes the provision of an Enforcement Policy to outline that the council will take a consistent, fair and proportionate approach so as not to place too onerous a burden on local businesses, organisations, customers and the public.

### 2. Legal

Section 6 of the Regulators' Code which sets out Government's expectation that local authorities will ensure 'good regulation' and that their approach to their regulatory activities is transparent. This includes the provision of an Enforcement Policy to outline that the council will take a consistent, fair and proportionate approach so as not to place too onerous a burden on local businesses, organisations, customers and the public.

### 4. Risk Management Issues

Failure to adopting and implementing the Enforcement Policy could result in successful challenges during enforcement.

## CONSULTATIONS

I confirm that the appropriate consultations have taken in place and the outcomes are as detailed below

Signed: Robin Staines

Head of Housing, Public Protection and Provider Services

- 1. Scrutiny Committee N/A**
- 2. Local Member(s) N/A**
- 3. Community / Town Council N/A**
- 4. Relevant Partners N/A**
- 5. Staff Side Representatives and other Organisations N/A**

**Section 100D Local Government Act, 1972 – Access to Information  
List of Background Papers used in the preparation of this report:**

**THERE ARE NONE**