



To: The Leader and Executive Councillor for Strategy and Transformation: Councillor Lewis Herbert

Report by: Jas Lally Head of Refuse and Environment

Relevant scrutiny committee: Strategy & Resources  
20/10/2014  
Scrutiny Committee

Wards affected: All

## **CORPORATE ENFORCEMENT POLICY**

### **Not a Key Decision**

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#### **1. Executive summary**

1.1 Legislative changes and in particular the Regulators Code which is a statutory code came into force in April 2014 making it necessary to review and update the Council's Corporate Enforcement Policy.

#### **2. Recommendations**

2.1 The Leader of the Council is recommended to consider and adopt the proposed Corporate Enforcement Policy attached as Appendix A.

#### **3. Background**

3.1 The current Enforcement Policy is now out of date and does not reflect the current legislation and guidance, in particular the Regulators Code. The Corporate Enforcement Policy forms the basis under which specific service enforcement policies are derived where required.

3.2 The policy has been considered, reviewed and commented on by Legal Services as well as various officers representing their services on the Enforcement Steering Group.

3.3 The policy is essential to provide clarity to residents and businesses in the way we act, as well as, minimising risks associated with failed enforcement action. The Enforcement Policy is one of a number of methods and tools used to deliver the Council's Vision "One Cambridge – Fair for All".

3.4 Once adopted, the new policy will need to be published on the Council's website. Directors, Heads of Service and managers will need to cascade the new policy to operational staff and ensure it is taken into account in all enforcement actions.

### **3.5 What is the Regulators Code?**

It is a code of practice that is replacing the Regulators' Compliance Code. It is shorter, easier to follow and provides a framework for how regulators, ranging from national organisations to local authorities, should engage with those they regulate.

### **3.6 Why is there a new Code?**

Following a review of the Regulators' Compliance Code it was found that although regulators had largely adopted its principles, its delivery was inconsistent nationally and it had not changed regulatory culture and practice. The new Regulators' Code is designed to address these concerns. It is part of a package of measures to improve relationship between regulators and those they regulate and to overcome barriers to growth, by improving the way regulation is delivered.

### **3.7 Who will need to consider the Code?**

Nearly all non-economic regulators, including local authorities and fire and rescue services, will need to have regard to the Code when developing standards, policies or procedures that either guide their regulatory activities with businesses or apply to other regulators.

3.8 Each service which deals with enforcement will draw up clear standards setting out the level of service and performance that the public and businesses can expect from them. This will be in consultation with business and all other relevant interested parties. We will publish these standards within individual service areas and also the annual performance targets and measures against them.

3.9 The information published will be easily accessible through a single point on the Councils website which will be clearly signposted and kept up to date.

3.10 Each service will ensure that all members of staff will receive the appropriate training and authorisation to carry out enforcement activity where appropriate.

## **4. Implications**

### **(a) Financial Implications**

The policy has no direct costs as services are staffed to undertake the relevant enforcement roles. Working to an up to date policy will reduce enforcement risks and support the potential award of costs for carrying out enforcement work.

### **(b) Staffing Implications**

There are no staff implications other than communicating the change and ensuring action is taken in accordance with the policy.

### **(c) Equality and Poverty Implications**

An EQiA has been carried out on this policy.

### **(d) Environmental Implications**

The Policy is used to guide the way we enforce appropriate legislation that regulates the environment.

### **(e) Procurement**

Not Applicable

### **( f) Consultation and communication**

Following the production of each of the service standards from each service area, consultations will take place with both businesses and residents of the City to obtain their views and contribute to the development of the service standards.

### **(g) Community Safety**

The Policy is used to guide the way we enforce appropriate legislation that regulates the environment.

## **5. Background papers**

Regulators Code

The Code for Crown  
Prosecutors

Equality Impact  
Assessment

These background papers were used in the preparation of this report:

## **6. Appendices**

Appendix A Draft Enforcement Policy

## **7. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact:

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