

SLOUGH BOROUGH COUNCIL

REPORT TO: Neighbourhoods and Community Services Scrutiny Panel

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CONTACT OFFICER: Michael Sims - Licensing Manager
(For all Enquiries) (01753 477387)
Pat Kelleher - Assistant Director Public Protection
(01753 875211)

WARD(S): ALL

PART I

FOR CONSIDERATION AND COMMENT

PUBLIC PROTECTION SERVICES ENFORCEMENT POLICY

1. **Purpose of Report**

For the Scrutiny Panel to consider and comment on the revised and updated draft Public Protection Services Enforcement Policy following public consultation, copy attached as Appendix A.

2. **Recommendation/Proposed Action**

That the Panel consider and comment on the draft Enforcement Policy and recommend its approval to Cabinet.

3. **Sustainable Communities Strategy Priorities**

- **Health and Wellbeing**
- **Safer Communities**
- **Regeneration and Environment**
- **Economy and Skills**

4. **Other Implications**

(a) **Financial**

None.

(b) **Risk Management**

Recommendation	Risk/Threat/Opportunity	Mitigation(s)
From section 2 above	The proposed draft policy will ensure a risk based, proportionate and consistent approach to enforcement decision making.	Quality assurance procedures will ensure that enforcement decisions are taken in line with the revised Policy document.

(c) Human Rights Act and Other Legal Implications

Section 1 and Schedule 1 Part 1 and 11 of the Human Rights Act 1998 apply:

- Article 1 - Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest.
- Article 6 - That in the determination of civil rights and obligations everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal by law.

(d) Equalities Impact Assessment

An Equalities Impact Assessment has been completed. The Assessment has not identified any potential for discrimination or adverse impact and all opportunities to promote equality have been taken

(e) Workforce

None.

5. **Supporting Information**

- 5.1 On 11 March 2003 Cabinet approved a comprehensive Enforcement Policy in respect of the Regulatory Services functions undertaken by the former Housing and Neighbourhood Services Directorate, a copy of which is attached as Appendix B.
- 5.2 That policy document has been revised and updated to reflect subsequent statutory guidance, and in particular the Regulators Compliance Code, the statutory code of practice published by the Department for Business, Enterprise and Regulatory Reform (BERR) and guidance published by the Local Authorities Coordinators of Regulatory Services (LACORS), now Local Government Association (LGA).
- 5.3 The Compliance Code is central to the better regulation agenda, embedding a risk-based proportionate and targeted approach to regulatory inspection and enforcement.
- 5.4 The draft Enforcement Policy will provide guidance to officers, managers, businesses and consumers on the application of enforcement actions and decisions taken by Slough Borough Council. The service areas to which the Enforcement Policy relates are:
- Trading Standards
 - Food and Safety
 - Neighbourhood Enforcement Team
 - Licensing
 - Community Safety.

6. Consultation

- 6.1 A public consultation has been conducted through the Council web site and with other consultees on the draft Policy document. A list of the consultees together with a summary of their comments is attached at Appendix C.

7. Comments of Other Committees

None.

7. Conclusion

The draft Policy document will ensure a risk based, proportionate and consistent approach to enforcement actions and decision making. It will also ensure that enforcement practice follows the statutory guidance set out in the Regulators Compliance code.

Members are therefore asked to consider and comment on the draft Enforcement Policy and recommend its approval to Cabinet.

8. Appendices Attached

- A - Draft Enforcement Policy
- B - Current Enforcement Policy approved by Members on 11 March 2003
- C - List of consultees and summary comments received.

9. Background Papers

- 1 - Regulators Compliance Code
- 2 - Statutory code of practice published by the Department for Business, Enterprise and Regulatory Reform (BERR)
- 3 - LACORS guidance
- 4 - Equality Impact Assessment