

APPENDIX B2

ENFORCEMENT POLICY – CONSULTEES AND RESPONSES

Consultee	Responses	SBC Reply and Action
Full Consultation SBC website		
Chief Exec – RBWM		
Chief Exec – South Bucks		
Chief Exec – Wokingham		
Chief Exec – West Berks		
Chief Exec – Bracknell Forest		
Chief Exec – Spelthorne		
Supt Simon Bowden – TVP Slough		
Chief Constable TVP		
RBFRS		
Slough Chamber of Commerce		
Slough Business Community Partnership	From what has been, it does seem to cover all the salient points and sets out any appropriate action quite clearly.	Noted and no action needed
Federation of Small Business		
SEGRO		
SBC Policy Unit		
All CP&BC Staff		
Legal Services		
All members of the SBC Corporate Enforcement Group	<p>SBC Financial Investigator observations with reference to fraud:</p> <ol style="list-style-type: none"> 1. Assisting other Council departments with POCA fits well with the role of financial investigators launching POCA enquiries to provide evidence to the investigation team or confiscation. 	Noted and no action needed

	<p>2. Benefit investigations</p> <p>a. At present the Council investigates and prosecutes benefit fraud. The sliding scale of enforcement action applies as does the DPP code.</p> <p>b. Procedures are governed by DWP practice, procedure and legislation. That being said I can see no specific conflict between this the Code and DWP practice.</p>	
Institute of Licensing		
NALEO (National Association of Licensing Enforcement Officers)		
Public Consultation - SBC website	<p>As part of this consultation I would like to point out that you have stated as part of the preamble to the consultation that</p> <p>'We wish to demonstrate that our enforcement activities are carried out in a fair, proportionate, transparent and consistent manner and in accordance with the Council's Enforcement Policy.'</p> <p>I would like to politely point out to you that your survey asks no questions regarding transparency of implementation at all, it merely implies that if your policies are published that somehow that makes your activities transparent ; it does not.</p> <p>If Slough council did wish to demonstrate its enforcement activities were fair and transparent it should publish detailed data on its activities on the slough.gov.uk website as <i>open data</i>. In this context open data refers to a specific meaning; if you are unaware of exactly what open data is please see www.theodi.org for further details. (P.S.</p>	<p>Noted. The purpose of the amendments to the Policy is to reflect the changes introduced by the Regulators Code.</p> <p>The Code addresses issues around how regulators will carry out their activities.</p> <p>The Policy is designed to allow regulators to clearly explain to those being regulated, what the non-compliant item or activity is, the advice being given, actions required or decisions taken, and the reasons for these. The purpose is to allow regulators to provide an opportunity for dialogue with those being regulated in relation to the advice, requirements or decisions, with a view to ensuring that they are acting in a way that is proportionate and consistent.</p> <p>The Code requires regulators to ensure that their approach to regulatory activities is transparent. As such regulators should publish a set of clear service standards,</p>

	<p>Neither excel or PDF files are open data). In fact these days it is expected that local government is <i>digital by default</i> ; clearly SBC has quite some way to go in this regard.</p> <p>Without publishing enough open data in a timely fashion it makes it virtually impossible for any member of the public or interest group to scrutinise the councils licensing activities in any meaningful way, and therefore it lays itself wide open to criticisms of obfuscation and worse, as it cannot be proven otherwise. Transparency is the heart of good governance; currently as a member of the public I do not believe the licensing department gives me any transparency at all.</p>	<p>setting out what those they regulate should expect from them. The adoption of the Policy achieves this. Transparency in this context is not about publishing enforcement data.</p>
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