

REPORT FROM: Assistant Director Operational Services

TO: EXECUTIVE

DATE: 31ST OCTOBER 2024

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OPERATIONAL SERVICES ENFORCEMENT POLICY

PURPOSE OF REPORT

To secure Members approval of the revised Operational Services Enforcement Policy, which will cover the removal of waste from private land, littering, failure to clear fouling, flytipping and other environmental crimes such as the failure to control waste sent for disposal.

RECOMMENDATIONS

- (1) That Members approve the Enforcement Policy

REASONS FOR RECOMMENDATIONS

- (1) To ensure that the policy can be communicated to staff and applied consistently and fairly whilst carrying out investigations
- (2) To ensure there is transparency in decision making and the actions of enforcement officers are supported by the Council as they work to protect our local environment

ISSUE

- 1) The Council's policy is to provide an effective enforcement service. The provision of a written policy will ensure there is transparency and continuity in our decision making, which will support the Council's authorised officers to protect our local environment.
- 2) The revised Policy updates references to guidance, codes and standards and sets out the competency expectations for officers carrying out investigations.
- 3) The Policy provides a clear overview around how investigations will be conducted.

- 4) The policy sets out that any action taken against an individual, business or organisation will be consistent with the Council's commitment to equality and diversity and the Council's aim will be to ensure that there is no discrimination against an individual with protected characteristics.
- 5) The policy recognises the diversity of our residents and business owners and acknowledges that some individuals may need additional support or information in different formats to provide equal access to our services. Where the proprietor of a business does not speak or read English, it will be the Council's policy to encourage them to arrange their own translations. If this is not possible then to support the business community the Council will provide this service.

IMPLICATIONS

Policy: Links to Priority 2 within the Corporate Plan. Encourage and foster community pride for a safer, cleaner and greener environment and protect our parks and local environment by taking pride in our green spaces and surroundings.

Financial: None arising directly from this report. The Members decision in relation to interest charges on debts set out within the Environmental Health Enforcement Policy will be adhered to.

Legal: None arising directly from this report. Implementation of the policy ensures enforcement decisions are consistent, transparent and accountable and made in accordance with legal requirements and guidance.

Risk Management: Formalising the policy reduces the risk of enforcement decisions being challenged.

Health and Safety: None arising directly from the report.

Sustainability: None arising directly from the report

Community Safety: None arising directly from the report.

Equality and Diversity: The policy recognises the need to ensure that regulatory activity and enforcement action is fair and objective and has regard to relevant corporate equality and diversity policies.

LIST OF BACKGROUND PAPERS

Operational Services Enforcement Policy July 2024