

Committee: Overview and Scrutiny Commission

Date: 15 September 2015

Subject: Enforcement

Lead officers: Chris Lee, Director of Environment and Regeneration; John Hill, Head of Public Protection

Lead member: Councillor Peter Southgate, Chair, Overview and Scrutiny Commission

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Recommendations:

- A. That the Overview and Scrutiny Commission discuss and comment on the presentation provided by the Director of Environment and Regeneration and the Head of Public Protection (see Appendix A) and ask other questions as appropriate.
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1 PURPOSE OF REPORT AND EXECUTIVE SUMMARY

- 1.1. The Director of Environment and Regeneration has been invited to attend the Overview and Scrutiny Commission meeting to present an overview of current policy, practice and latest initiatives in enforcement within the Environment and Regeneration Directorate. The presentation slides are contained in Appendix A.

2 DETAILS

- 2.1. During the 2015 topic suggestion campaign, a councillors suggested that scrutiny should review enforcement to establish whether enforcement is happening, is consistently applied, is fair and is cost effective. Residents have also suggested that enforcement issues be scrutinised, specifically planning, parking and vehicle enforcement.
- 2.2. These suggestions were discussed at the topic workshop and members were reminded that an in-depth scrutiny review of enforcement took place in 2006 which made a number of recommendations including:
- that one overarching enforcement policy should be developed in order to promote consistency and transparency across enforcement activity carried out by the council.
 - that an evaluation process should be established to evaluate the effectiveness of enforcement policies, including measuring the perception of members of the public with regard to how effective the council is in dealing with enforcement.
 - that there should be a presumption to enforce (in accordance with the principles of fairness, proportionality and the public interest test) for all breaches of council policy and that any enforcement action be undertaken in a timely way.

- 2.3. Detailed reports updated on progress made against the task group's recommendations were provided to the Commission for their consideration in 2009 and again in 2011/12.
- 2.4. In the light of this, the topic workshop and subsequently the Commission therefore agreed that the most appropriate way to address this issue would be through a presentation to provide an overview of current policy and practice in this area, focussing on new initiatives as well as an update on the shared regulatory service and its impact on enforcement activity. Key performance indicators will be provided where appropriate.

3 ALTERNATIVE OPTIONS

Commission members may choose to ask questions about any aspect arising from the presentation.

4 CONSULTATION UNDERTAKEN OR PROPOSED

- 4.1. Not applicable.

5 TIMETABLE

- 5.1. Not applicable.

6 FINANCIAL, RESOURCE AND PROPERTY IMPLICATIONS

- 6.1. There are no property or resource implications at this time.

7 LEGAL AND STATUTORY IMPLICATIONS

- 7.1. None for the purposes of this report.

8 HUMAN RIGHTS, EQUALITIES AND COMMUNITY COHESION IMPLICATIONS

- 8.1. None for the purposes of this report.

9 CRIME AND DISORDER IMPLICATIONS

- 9.1. None for the purposes of this report.

10 RISK MANAGEMENT AND HEALTH AND SAFETY IMPLICATIONS

None for the purpose of this report.

11 APPENDICES – THE FOLLOWING DOCUMENTS ARE TO BE PUBLISHED WITH THIS REPORT AND FORM PART OF THE REPORT

Appendix A – presentation slides

Appendix B – council-wide enforcement policy

Appendix C – recommendations of the enforcement scrutiny task group review, 2006

Appendix D – corporate key performance indicators relating to E&R Enforcement (streetscene and waste, public protection, sustainable communities)

12 BACKGROUND PAPERS

12.1. None

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