

WAVERLEY BOROUGH COUNCIL

EXECUTIVE –27 MARCH 2012

Title:

**ENFORCEMENT POLICY FOR
THE ENVIRONMENTAL HEALTH SERVICE**

**[Portfolio Holder: Cllr Bryn Morgan]
[Wards Affected: All]**

Summary and purpose:

This report proposes adoption of a comprehensive Enforcement Policy for the Environmental Health Service. This will result in efficiencies and improved clarity when dealing with Environmental Health enforcement matters.

How this report relates to the Council's Corporate Priorities:

Through the adoption of a revised Enforcement Policy, risk-based methodologies will be used in order to target resources on the activities of those giving rise to the most serious risks to public health, safety and the environment. Proportionate enforcement action reduces the inspection burden on compliant businesses and individuals, while maximising the effective use of resources. This relates to the corporate priorities of Leisure & Lives, and Environment.

Equality and Diversity Implications:

No implications directly associated with this report.

Resource/Value for Money implications:

There are no direct financial implications associated with this report, although improving efficiency and use of available officer time are important benefits.

Legal Implications:

The legal background is dealt with in detail in the Enforcement Policy appended to this report.

Background

1. Councils implement, administer and enforce a raft of legislation designed to protect health, local economies and the environment. In doing this, we have flexibility to determine the most appropriate methods for enforcement, to suit local needs and ensure value for money.

An Enforcement Policy for Environmental Health

2. The Foresight Review also identified the need for a comprehensive Enforcement Policy to bring improved clarity, transparency and efficiency to the actions taken by Environmental Health. The proposed Policy will act as a framework to ensure Waverley's enforcement activity:
 - I. Is fair, accountable, consistent, proportionate and transparent.
 - II. Is an effective use of resources through risk-based methodology.
 - III. Improves protection for the community and businesses.
 - IV. Reduces the regulatory burden on businesses.
 - V. Actively involves both business and community in the creation and review of the enforcement policy and methods.

Types of Action Available

3. A description of the range of actions that may be taken, including warnings, statutory notices and prosecution, and the circumstances under which such actions would be taken are set out in the Enforcement Policy.

Enforcement Concordat

4. The Council originally adopted the Enforcement Concordat in 1998. For completeness, the Concordat is set out in the Enforcement Policy at Annexe 1 to this report.
5. Environmental Health Officers enforce a range of legislation and officers will report to at future meeting on associated changes to the Scheme of Delegation.

Recommendation

It is recommended that the Environmental Health Enforcement Policy relating to Environmental Health matters annexed to this report be approved.

Background Papers:

There are no background papers (as defined by Section 100D(5) of the Local Government Act 1972) relating to this report.

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