

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Regeneration and Sustainable Development Cabinet Board

22 June 2018

Head of Planning and Public Protection

N. Pearce

Matter for Decision

Wards Affected: *All Wards*

Report Title

ENVIRONMENTAL HEALTH AND TRADING STANDARDS – ENFORCEMENT POLICY

Purpose of Report

- 1 For Members to approve the updated Environmental Health and Trading Standards Enforcement Policy (the Policy) and thus ensure legislature compliance.

Executive Summary

- 2 The Policy will ensure that the Principles of Good Enforcement are met, namely:-
 - Setting clear standards
 - Openness
 - Helpfulness
 - Complaints handling
 - Proportionality
 - Consistency
- 3 Without an Enforcement Policy there may be inconsistency in enforcement action which may lead to the Council being non-compliant with the Regulators' Code and other applicable legislation and guidance.

In the past the enforcement policy has been endorsed on an annual basis despite there being little if any changes to it. Given

the need to improve the efficiency of service delivery it is now proposed to adopt this policy on a permanent rather than an annual basis, seeking further approval from Board only when there are substantive changes proposed to the policy.

- 4 Whilst not forming part of the policy document itself, Members should note that we have recently been working to develop the accessibility of the enforcement role of this service via digital means. Officers within the service spend a significant amount of their time away from the office investigating enforcement complaints. To ensure that enforcement complaints from the public reach officers as quickly as possible, our website has been developed and will continue to be developed to enable for the submission of complaints and all supporting information electronically. This information will be assessed having regard to its seriousness and prioritised as a consequence, thus ensuring that we are able to concentrate resources as quickly as possible to those complaints which need quicker intervention. This in turn should enable us to operate in a more agile and efficient way with a consequent improvement in service delivery but in compliance with our enforcement policy.

Background

- 5 The Enforcement Policy ensures our compliance with applicable legislation including the Regulators' Code and other published guidance.
- 6 The Policy ensures that there is consistency in the approach of officers in making decisions which concern enforcement action.
- 7 The Policy will apply to Environmental Health and Trading Standards Services only.

Financial Impact

- 8 None

Equality Impact Assessment

- 9 A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this proposal does not require an Equalities Impact Assessment

Workforce Impact

- 10 No impact on current workforce

Legal Impact

- 11 The policy has a positive legal impact, as it clarifies the principles of good enforcement, and therefore enforcement action will be considered in a consistent, proportional, transparent, accountable and targeted manner.

Risk Management

- 12 The policy has a positive risk management impact as enforcement action will be considered in a consistent, proportional, transparent, accountable and targeted manner.

Crime and Disorder

- 13 The policy has a positive impact on crime and disorder as it clarifies the principles of good enforcement to ensure there is compliance with the wide range of laws relating to Trading activity, public health, housing, health and safety and food safety.

Consultation

- 14 There is no requirement under the Constitution for external consultation on this item

Recommendation(s)

- 15 To approve the Environmental Health and Trading Standards Enforcement Policy, as appended to this report.

Reason for Proposed Decision(s)

- 16 To ensure that consistent enforcement action is taken and the principles of the Regulators' Code and other published guidance are followed.

Implementation of Decision

- 17 The decision is proposed for implementation after the three day call in period.

Appendices

- 18 Appendix A - Environmental Health and Trading Standards Enforcement Policy

List of Background Papers

- 19 None

Officer Contact

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