

**Agenda Item No: 13**



**Cabinet recommendations for consideration by Council at the Meeting of the Council on Thursday, 23 February 2017**

**Cabinet – 4 January 2017**

**51 Regulatory Services Enforcement Policy and Services Standards**

The Cabinet considered Report No 2/17 which related to the draft Regulatory Services Enforcement Policy and Service Standards for all Environmental Health and Licensing functions at the Council. Copies of the draft documents were appended to the Report.

The Regulators' Code required Local authorities to publish an enforcement policy ("the Policy") together with service standards which explained how they responded to non-compliance. The Policy was an important document for regulators in meeting their responsibility under statutory principles of good regulation. It needed to provide a clear, flexible and principles-based framework for how the local authority engaged with those they regulated.

The Code had come into statutory effect on 6 April 2014 under the Legislative and Regulatory Reform Act 2006. All local authorities needed to have regard to it when developing policies and procedures that guided their regulatory activities.

Regulatory Services covered Environmental Health and Licensing Functions and specifically the areas of work that were set out in paragraph 1.3 of the Report. The primary aim of the Regulatory Services function was to protect public health.

Environmental Health Officers and specialists at the Council and at Eastbourne Borough Council had been authorised to carry out statutory functions in both

councils in the areas of Food Safety, Health and Safety, and Public Health.

Eastbourne Borough Council had adopted its Regulatory Services Enforcement Policy in September 2015. In order to enable both councils to provide a consistent service within the regulatory statutory functions, a joint policy was required.

An Environmental Health Enforcement Policy for Lewes District Council that was written in 2011, still existed, was broadly compliant with the Regulators' Code and would be reviewed against the new Regulatory Services Enforcement Policy to incorporate, where appropriate, specific enforcement details of the individual service at the Council. Such work had already been undertaken for Food Safety and Private Sector Housing which were attached to the end of the Policy.

Paragraph 3 of the Report set out details of the consultation process that would be undertaken prior to the Policy and Service Standards being adopted by the Council.

#### Recommended:

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|---|---------------------|
| <p><b>51.1</b> That the Council's draft Regulatory Services Enforcement Policy, as set out in Appendix 1 to Report No 2/17; and its Service Standards for Environmental Health and Licensing functions set out in Appendix 2 thereto, be approved;</p>  | DSD<br>(to<br>note) |
| <p><b>51.2</b> That authority be delegated to the Director Service Delivery to agree and implement the final Regulatory Services Enforcement Policy and Service Standards for Environmental Health and Licensing functions, after consultation and after consolidation of the Council's existing Environmental Health Enforcement Policy; and</p> | DSD<br>(to<br>note) |
| <p><b>51.3</b> That, with regard to the Regulatory Services Enforcement Policy, authority be delegated to the Director Service Delivery to determine the level of penalty charge of up to £5,000 where the Council is satisfied that there is an offence against the legislation.</p>   | DSD<br>(to<br>note) |

#### Reasons for the Decisions:

Local authorities are required by the Regulators' Code to publish an enforcement policy ("the Policy") together with service standards explaining how they respond to non-compliance. The Policy is an important document for regulators in meeting their responsibility under statutory principles of good regulation. It should provide a clear, flexible and principles-based framework for how the local authority engage with those they regulate.

† *Councillors are requested to bring with them to the meeting Report No 2/17 which was circulated with the agenda papers for the meeting of the Cabinet on 4 January 2017. If you require a further copy of the document please contact Trevor Hayward, Committee Officer, on e-mail [trevor.hayward@lewes.gov.uk](mailto:trevor.hayward@lewes.gov.uk) or telephone 01273 471600.*

## **56 Meetings Timetable 2017/2018**

The Cabinet considered Report No 7/17 which set out the proposed meetings timetable for the 2017/2018 municipal year.

Paragraphs 4 to 11 of the Report set out details of the key constraints that had been taken into account when compiling the timetable the draft of which had been circulated to all councillors and Chief Officers for comment.

It was reported that, whilst details of the dates of the Conservative Party and Liberal Democrats Party Conferences had been included in the draft timetable, such details in respect of the Green Party and the UK Independence Party had not been included as they had not yet been confirmed. However, it was understood that their Conferences would be held during September 2017.

### Recommended:

- 56.1** That the meetings timetable for the 2017/2018 municipal year, as set out in Appendices A and B to Report No 7/17, be approved and adopted.

ADLDS  
(to  
note)

### Reason for the Decision:

To facilitate the smooth running of the Council's business in the municipal year 2017/2018.

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