



**REPORT of
DIRECTOR OF STRATEGY, PERFORMANCE AND GOVERNANCE**

**to
COUNCIL
8 NOVEMBER 2018**

CORPORATE ENFORCEMENT POLICY

1. PURPOSE OF THE REPORT

- 1.1 To seek the adoption of the Corporate Enforcement Policy.

2. RECOMMENDATION

That the Corporate Enforcement Policy (**APPENDIX 1**) be adopted.

3. SUMMARY OF KEY ISSUES

- 3.1 Maldon District Council has a responsibility to enforce a range of legislation. Enforcement includes any actions carried out by officers aimed at ensuring that individuals or businesses comply with the law. This is not limited to formal action including the service of statutory notices or starting prosecutions, but includes investigation of potential infringements, inspections, giving advice and informal steps taken to ensure compliance with Acts of parliament, regulations and approved Code of Practice.
- 3.2 The purpose of adopting a Corporate Enforcement Policy (**APPENDIX 1**) is to create one overarching policy encompassing the key factors and principles common to all aspects of enforcement undertaken by the Council.
- 3.3 The policy is intended to create a framework to ensure that there is a fair and consistent approach to the way enforcement activity is carried out.
- 3.4 This policy applies to all areas where enforcement action is taken by the Council. Although specific guidance on the particular approach taken by certain areas is also be provided through additional specific guidance. These specific forms of guidance will be more detailed and provide a more thorough approach taking in to account the specialist legislative framework, case law and appropriate guidance.

4. CONCLUSION

- 4.1 The provision of a Corporate Enforcement Policy ensures a consistent and overarching approach to enforcement across the Council. It is a key document for ensuring that a fair and proportionate approach is undertaken through the enforcement process and is augmented by specific policies and guidance for various services.

5. IMPACT ON CORPORATE GOALS

- 5.1 Having an effective enforcement policy is linked to the Corporate Goals of strengthening communities to be safe, active and healthy and aiming to be an organisation that delivers good quality cost effective and valued services in a transparent way.

6. IMPLICATIONS

- (i) **Impact on Customers** – The ability to ensure that enforcement process, including enforcement action where appropriate, is taken in a timely, open and transparent way.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – There are no risks associated with this policy.
- (iv) **Impact on Resources (financial)** – Staff resources as required.
- (v) **Impact on Resources (Human)** - To continue to be identified through the Planning Services Improvement Plan.
- (vi) **Impact on the Environment** – Failure to have an effective enforcement policy could result in an increase in activity in conflict with legislative and legal restrictions.

Background Papers: None.

Enquiries to:

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