



Leicester  
City Council

## APPENDIX 3

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### ENVIRONMENT AND DEVELOPMENT DEPARTMENT GENERAL ENFORCEMENT POLICY

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#### 1. Background and Report

Best Value Performance Indicator 166 relates to the quality of Environmental Health and Trading Standards enforcement work. "Enforcement" is defined for the purposes of this Indicator in the broadest sense as:

*"...action carried out in the exercise of, or against the background of, statutory enforcement powers. This is not limited to formal enforcement action, such as prosecution or issue of notices and would include the inspection of premises for the purpose of checking compliance with regulations and the provision of advice to aid compliance."*

The Performance Indicator comprises a complex set of scored sub-indicators, including a number which relate to written enforcement policies. The relevant criteria for these include:-

- Endorsement by Members.
- Publication.
- Compliance with the Enforcement Concordat.
- Compliance with "The Code for Crown Prosecutors".
- Monitoring and reporting arrangements to ensure compliance.

Clearly, it is necessary to ensure that the various enforcement services within the Department attain a high and uniform standard of scoring by the operative date of this Indicator, 31st March 2002. This process entails the formal Member endorsement of an enforcement policy for those services engaged in relevant activities.

In previous years, a number of individual service areas within the Department have had their enforcement policies endorsed by Committees. Although the Council adopted, in 1999, the Government's Enforcement Concordat which lays down standards for good enforcement policies and procedures, a single enforcement policy covering all of the Department's enforcement activities has never previously been produced.

Operational enforcement policies and procedures are not only very detailed but they are also subject to the need to be updated regularly, for various reasons. It was therefore agreed that the best approach would be a two-tier arrangement of documents:

1. An overarching, General Departmental Enforcement Policy covering all enforcement activities:

Embodying the requirements of BV166 as well as the Council's aims and objectives, would lay down the key principles to be followed in carrying out enforcement activities. It is this document which would be endorsed by Members. While subject to review in the light of major changes in circumstances, it would be framed in such a way as not to require frequent amendment.

2. Service-specific Policy and Procedure documents:

These would be produced by individual Heads of Service. They would be explicitly promulgated under the terms of the Department's General Enforcement Policy. By means of review against a checklist, managers would ensure that the documents embodied the principles of good enforcement, endorsed by Members, without the latter having periodically to approve minor, operational detail.

It is intended that, following member endorsement, an Enforcement Policy Statement, comprising a simplified version of the policy, together with a summary of the key principles of the Enforcement Concordat, will be produced as a leaflet suitable for dissemination to the public and the local business community.

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