



## Portfolio Holder Decision Notice

Title of decision:	Environmental and Community Protection Enforcement Policy
Name of Portfolio Holder:	Portfolio Holder for Community and Regulatory Services
Name of Lead Officer	Emma Walker, Group Manager - Environmental and Community Protection
Proposed date of Decision to be made:	10 March 2022

If part 2, the reason:	n/a
Decision:	<p><b>Background to report:</b></p> <p>An enforcement policy allows the Council inform those it interacts with (both businesses and individuals) how they can be expected to be treated when receiving an interaction from the regulatory officers.</p> <p>Whilst the vast majority of interventions from ECP result in no enforcement, unfortunately there is a small minority of individuals and businesses where enforcement action is needed. This enforcement action is need to:</p> <ul style="list-style-type: none"><li>• Ensure compliance with legal standards</li><li>• Ensure food is produced in a hygiene manner so not putting the health of residents at risk</li><li>• Ensure workplaces comply with health &amp; safety law so that those who work within Dacorum do not suffer injuries or adverse health outcomes which impact their and their families lives and places a burden on the health service</li><li>• Ensure that those businesses that we authorise/permit comply with Environmental standards.</li><li>• Using a graduated approach deal with minor offending without burdening the criminal justice or place undue burdens on the individual or business.</li></ul>



- Ensure that when an individual or business has committed a serious offence the Council is able to use the enforcement tools afforded by the law to bring justice to the victims of their offending.

Local Authorities are agents of the state responsible for ensuring compliance with Acts of Parliament and Statutory Instruments.

Agencies of Central Government such as the FSA, HSE, DEFRA instruct local authorities how to regulate and require annual returns on the work of the authority. Local Authorities can introduced localised legislative measures such by-laws that govern street trading, or PSPOs (Public Spaces Protection Orders).

The enforcement action taken by ECP has many built it safe guards such as appeals against any notice served, a right to a fair trial, investigation undertaken in line with the Police and Criminal Evidence Act 1984, when being formally questioned under caution to right to be represented.

The policy was noted by Spatial Planning and Environment Overview and Scrutiny Committee.