

ANGUS COUNCIL

ENVIRONMENTAL AND CONSUMER PROTECTION COMMITTEE
23 MAY 2000

UPDATED ENFORCEMENT POLICY

REPORT BY DIRECTOR OF ENVIRONMENTAL AND CONSUMER PROTECTION

ABSTRACT

This report seeks the Committee's approval of the content of an updated enforcement policy, and agreement that the document can be published and made available to interested parties.

1. RECOMMENDATION

It is recommended that the Committee:-

- a) approve the content of the attached Enforcement Policy document, and,
- b) agree the document can be published and made available to interested parties.

2. BACKGROUND

The Department has operated a general enforcement policy since 1996, which was an internal document for use by enforcement officers and their managers.

The document contains guidance on how and when enforcement actions should be taken, and at what level decisions on formal action, including prosecution, are taken.

In 1998, when the Department adopted the principles of the Good Enforcement Concordat, the document and procedures were altered to take on board the Concordat's requirements.

3. CURRENT POSITION

The Policy document has recently been reviewed and updated with a view to making it available outwith the Department, to interested parties including partner organisations, other enforcers and business. It is intended that the document be reviewed annually to take into account changing circumstances such as the coming into force of the Human Rights Act, and a new Regulation of Investigatory Powers Bill.

There is an increasing demand for such policies to be published by regulators to demonstrate that we are open about our procedures and can show consistency and clarity in the way enforcement decisions are made.

Guidance from LACOTS (Local Authorities Co-ordinating Body on Food and Trading Standards), likely new national performance indicators and the requirements of the Good Enforcement Concordat are now calling for such documents to be more available for scrutiny by affected parties and for them to be endorsed by Local Authority elected members.

If the Committee agrees, the attached document will be published, as appropriate, and made available to interested parties.

4. FINANCIAL IMPLICATIONS

Any costs associated with printing and publishing the document can be contained within the Department's existing Revenue Budget.

5. CONSULTATION

The Chief Executive, Director of Finance and Director of Law and Administration have been consulted on the content of this report.

No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973 (other than any containing confidential or exempt information) were relied on to any material extent in preparing this report).

S R Heggie
Director of Environmental and Consumer Protection

JM/FMCI
4.5.00