

MINUTE EXTRACT CABINET – 7 MARCH 2016

112 ENFORCEMENT POLICY



“Making sure our residents can enjoy a clean and safe environment is one of our key pledges for 2020. An effective enforcement policy which helps to clamp down on those people who purposefully harm our environment is particularly important.”

Councillor Bernie Mooney

Reason for Decision:

The amendment to the Council’s Enforcement Policy relating to littering and dog fouling is linked to the Council’s Pledge to have an attractive local environment. The amendment to paragraph 5.4 provided examples in respect of littering and dog fouling where a robust approach to enforcement action will be taken by the Council.

The amendment to the Council’s Scheme of Non-Executive Delegation of Functions to Officers by the insertion of paragraph 10(f) provides a more efficient and effective service and enables Directors, following consultation with and the approval of the Head of Legal and Member Services, to authorise suitably qualified and/or experienced Council officers within their relevant area of management to conduct, prosecute, defend and appear in legal proceedings on behalf of the Council before the Magistrates Court in accordance with Section 223 of the Local Government Act 1972 as amended.

Decision:

RECOMMENDATION TO COUNCIL that:

- (1) the amendment to the Council’s Enforcement Policy at paragraph 5.4 as detailed in bold type within the document attached and marked Appendix 2 to the report be approved.**

- (2) **an amendment to the Council's Scheme of Non-Executive Delegation of Functions to Officers set out in Part 3, Schedule 4A, Part 1, paragraph 10 of the Council's Constitution namely the insertion of paragraph 10(f) as detailed in bold type within the document marked Appendix 3 and attached to the report.**

Purpose:

Councillor Bernie Mooney introduced a report, the purpose of which was to seek Cabinet approval to an amendment to paragraph 5.4 of the Council's current Enforcement Policy 2014 - a copy of which was attached and marked as Appendix 1 to the report - with specific reference to the enforcement of littering and dog fouling. The report also sought a recommendation from Cabinet to Council for the approval of an amendment to the Council's Scheme of Non-Executive Delegation of Functions of Officers set out in Part 3, Schedule 4A, Part 1, paragraph 10 of the Council's Constitution.

Local Authorities are required by the Regulators' Code to publish an enforcement policy explaining how they respond to non-compliance.