



1. **PURPOSE OF REPORT**

To seek Executive approval of Corporate Service Standards and a Corporate Enforcement Policy for regulatory services within the Council.

2. **RECOMMENDATION**

That Executive approves for adoption the Corporate Service Standards (Appendix 1) for regulatory services within the Council and a Corporate Enforcement Policy (Appendix 2).

3. **BACKGROUND TO THE REPORT**

Over the course of the previous Parliament the Government introduced a number of measures to reduce red tape for business and to improve business' experience of regulation on a day to day basis. One of these measures was the introduction of the Regulators Code in April 2014.

The Regulators Code requires clear service standards to be published on how regulators will deliver services including their enforcement policies. Hinckley and Bosworth Borough Council is classed as a regulator under the provisions of the code with its enforcement services in Environmental Health, Licensing, Private Sector Housing, Street Scene although currently the services of Planning and Building Control are not covered by the Code.

In Leicestershire, all local regulatory partners have worked together under the Leicester, Leicestershire Enterprise Partnership (LLEP) to produce a model set of service standards to give a consistent approach to our businesses. These standards have been worked up into the Appendix 1 'What you can expect from Regulatory Services in Hinckley and Bosworth '. They commit the Council to working with business to help them meet their legal requirements and prosper, along with providing a professional, courteous and helpful service. The service standards inform business how we aim to do this and what standards we will meet.

One further requirement of the Regulators Code and service standards is that each regulator will publish its own Enforcement Policy. Previously, given the variety of powers and sanctions available to each service area across the Council each service area has produced its own Enforcement Policies. However the new code essentially requires the Council to have a Corporate Enforcement Policy which sets out the general principles that the Council adopt to enforcement. It is then intended that each service area will produce a standardised enforcement policy, where required, revised to conform to the Regulators code.

The Corporate Enforcement Policy has again been developed from a model drafted with our partners in the LLEP. The Enforcement Policy has regard to the principles of good regulation, committing the Council to exercising its regulatory activities in a proportionate, accountable, consistent, transparent and targeted manner, considered important for supporting good business growth and maintaining a level playing field whilst protecting citizens and the environment. The policy further explains this

Councils approach to dealing with non-compliance, avoiding unnecessary regulatory burdens and assessing whether similar social, environmental and economic outcomes could be achieved by less burdensome means.

4. FINANCIAL IMPLICATIONS [AG]

There are no financial implications resulting from this report. The work required to adopt the Corporate Service Standards and Corporate Enforcement Policy will be carried out within the existing resources which have been built into existing budgets

5. LEGAL IMPLICATIONS [MM]

This Council is a regulator whose functions are specified by order under section 24(2) of the Legislative and Regulatory Reform Act 2006 and as such must have regard to the Regulators Code when developing policies and operational procedures that guide their regulatory activities.

6. CORPORATE PLAN IMPLICATIONS

Published Service Standards and Enforcement Policies will contribute towards businesses and others being clear of their legal obligations and having the confidence to approach the Council for advice on compliance allowing them to prosper and grow contributing to the Council aims of providing proactive services which will support individuals.

7. CONSULTATION

The Service Standards and Enforcement policy have been developed with the Better Business for All Regulatory Services Partnership under the Leicester and Leicestershire Enterprise Partnership, with input from the Business Focus Panel. These policies have been reviewed by the Corporate Enforcement Group for all regulatory services within HBBC.

8. RISK IMPLICATIONS

It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Reputation	Council should be seen to enforce legislation in a manner which supports good businesses to grow and prosper.	Steven Merry
Legal	Council must have regard to the Regulators Code.	Steven Merry

9. **KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS**

No implications as enforcement work in respect of all Council Services is carried out consistently across the whole Borough.

10. **CORPORATE IMPLICATIONS**

By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Human Resources implications
- Planning Implications
- Voluntary Sector

Background papers: Department for Business Innovation and Skills Regulators Code (April 2014)

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