

## MID DEVON DISTRICT COUNCIL

**MINUTES** of a **MEETING** of the **JOINT POLICY DEVELOPMENT GROUPS** held on 20 October 2020 at 5.30 pm

### **Present Councillors**

Mrs C Collis, E J Berry, L J Cruwys,  
Mrs C P Daw, J M Downes, B Holdman,  
Mrs E M Andrews, J Cairney, S J Clist,  
D R Coren, R J Dolley, C J Eginton,  
Miss J Norton, S J Penny, L D Taylor,  
B G J Warren and J Wright

### **Apologies Councillor(s)**

W Burke, Mrs M E Squires and R F Radford

### **Also Present Councillor(s)**

R M Deed, R Evans, C R Slade and Ms E J Wainwright

### **Also Present Officer(s):**

Simon Newcombe (Group Manager for Public Health and Regulatory Services), Sarah Lees (Member Services Officer), Clare Robathan (Scrutiny Officer) and Carole Oliphant (Member Services Officer)

#### **32 ELECTION OF CHAIRMAN (0.00.02)**

Cllr Mrs C P Daw was duly elected Chairman of the joint PDG

#### **33 APOLOGIES AND SUBSTITUTE MEMBERS (0.04.13)**

Apologies were received from Cllrs Mrs M E Squires and Cllr R F Radford

#### **34 VIRTUAL MEETING PROTOCOL (0.04.19)**

The Group had before it, and **NOTED**, the \*virtual meeting protocol.

Note: \*virtual meeting protocol previously circulated and attached to the minutes

#### **35 DECLARATIONS OF INTEREST UNDER THE CODE OF CONDUCT (0.04.40)**

Members were reminded to make declarations of interest when appropriate.

#### **36 PUBLIC QUESTION TIME (0.05.03)**

There were no members of the public present.

### 37 OPERATIONS DIRECTIVE ENFORCEMENT POLICY (0.06.36)

The Group had before a report of the Group Manager for Public Health and Regulatory Services setting out the \*Enforcement Policy.

The officer explained that the policy was the key enforcement policy which covered all the enforcement functions of the Council except planning enforcement. He further explained that the policy was a very important document which provided information to persons regulated by the Council and to the wider public who are protected and it was a reference guide for officers to ensure compliance with the regulators code of conduct and provided the framework in which the Council operated.

The officer explained that the policy was being brought back to the Group for adoption due to a number of legislative changes and a change to the reporting framework of the Council.

In response to questions asked the officer provided the following responses:

- The policy was defined as it was a reference document for officers, service providers and the public which set out the general rules of enforcement used by the Council in line with the Governments Code of Conduct.
- The policy was due to be revised in April but this had been delayed by other priorities during the pandemic.
- The general tenancy management service enforcement covered garage tenants.
- Officers were confident that compulsory recycling enforcement would increase recycling rates.
- The Group Manager for Public Health and Regulatory Services reviewed legislation changes regularly to ensure that the policy was compliant to current Government legislation. The policy updates had then been reviewed by Legal Services.
- The stray dog policy reflected the current legislation that they would be disposed of within 7 days, but in reality only one stray dog had been destroyed in the past few years because it could not be rehomed due to an aggressive nature. The Council also has arrangements with dog rehoming charities for unclaimed dogs suitable for rehoming.
- EPC regulations could be enforced by the Council's Private Sector Housing team and had a commonality with Trading Standards duties.
- That general principles of enforcement did apply for serious cases of fly tipping but that stages could be jumped if the case was serious enough
- That there were specific procedures within the Street Scene service which dealt with fly posting.

It was therefore **RECOMMENDED** to the Cabinet that:

- The revised Enforcement Policy attached in Annex 1 be adopted, subject to minor grammatical amendments highlighted by the joint Community, Environment and Homes PDG.

(Proposed by the Chairman)

**Reason for the decision** - To ensure that the Council has an appropriate enforcement policy in place for relevant statutory functions of the services within the scope of the policy.

Notes:

- i.) Cllr Mrs E M Andrews declared a personal interest as a tenant of Mid Devon District Council
- ii.) Cllr C Eginton declared a personal interest as a private landlord in Mid Devon
- iii.) \*Enforcement Policy previously circulated and attached to the minutes

(The meeting ended at 6.51 pm)

**CHAIRMAN**