

MID DEVON DISTRICT COUNCIL

MINUTES of a joint **MEETING** of the **COMMUNITY WELL BEING AND DECENT AND AFFORDABLE HOMES POLICY DEVELOPMENT GROUPS** held on 8 July 2016 at 10.00 am

Present

Councillors

Mrs E M Andrews, Mrs H Bainbridge, Mrs A R Berry, D R Coren, R J Dolley, P J Heal, F W Letch, B A Moore, J D Squire and L D Taylor

Apologies

Councillors

Mrs C P Daw, W J Daw, Mrs G Doe and Mrs E J Slade

Also Present

Councillors

C R Slade, Mrs M E Squires and R L Stanley

Present

Officers:

Jill May (Head of HR and Development), Simon Newcombe (Public Health and Professional Services Manager) and Sarah Lees (Member Services Officer)

19 **APOLOGIES AND SUBSTITUTE MEMBERS**

Apologies were received from the following Members:

Cllr Mrs C Daw
Cllr W J Daw
Cllr Mrs G Doe
Cllr Mrs E J Slade

20 **PUBLIC QUESTION TIME**

There were no members of the public present.

21 **CHAIRMANS ANNOUNCEMENTS**

The Chairman had the following announcements to make:

- a) As a joint meeting of the Policy Development Groups was an unusual occurrence and unlikely to be held again for some time it was suggested that the minutes from the meeting be circulated to those present and agreed via email to the committee clerk. This suggestion was **AGREED** by those present.
- b) The Chairman stated that whilst the greater part of the policy related to the Public Health area, there were elements of the policy that also related to the Licensing and Regulatory functions. The policy would be presented to both of these Committees on 18 July 2016, however, although able to make comments, the Committees would be asked to note the contents of the policy and they would be informed of any recommendation resulting from the meeting today.

22 PUBLIC HEALTH SERVICES ENFORCEMENT POLICY

The joint Policy Development Groups had before them a report * from the Public Health and Professional Services Manager presenting the new Public Health Services Enforcement Policy.

The contents of the report were outlined with reference to the following:

- The new policy had no direct relationship to the Corporate Plan.
- Unmanaged enforcement could lead to legal challenge and costs awarded against the Council.
- The Council, as a regulatory authority, had to work to statutory guidelines and a code of practice.
- The Licensing and Regulatory functions already had a number of policies which this would be complimentary to.
- The policy also covered the Environmental Health and Private Sector Housing areas.
- The policy would support individuals and companies and would mean that the Council could help promote well managed businesses.
- The title 'Enforcement' had a very wide meaning and included everything from informal advice, seizing goods and ultimately prosecution.
- Risk assessment approaches to enforcement underpin the policy bearing in mind the impact on the community, limited resources and appropriateness of taking action.
- The new policy would be an invaluable reference guide for officers and others.
- Section 4.1 of the report listed what was new in the policy including, business advice, secure compliance, evidence and public interests tests, 'Proceeds of Crime', a tightening of RIPA legislation, charging for enforcement actions and being more open and transparent.
- The principle of being fair and equitable with those the Council regulated.
- Appendices to the policy would be updated in line with changes to legislation with regular policy reviews taking place. If any changes impacted on the policy approach overall then the policy would be revised and presented for re-adoption.

Discussion took place regarding:

- Costs to the Council being recovered from the 'Proceeds of Crime'
- Whether a review of the policy every three years was enough? The suggestion was made that perhaps it would be appropriate for the policy to be reviewed again by the current administration and before the next District Council election given the pace of change in this area.
- The need for the Council to continue to try to recover the costs it incurred.

RECOMMENDED that:

- i. The Cabinet recommends to full Council that the new Public Health Services Enforcement Policy be approved:
- ii. The Cabinet recommends to full Council that the new policy be reviewed every two years rather than every three.

(Proposed by Cllr F W Letch and seconded by Cllr D R Coren)

(The meeting ended at 10.25 am)

CHAIRMAN