

**Wards Affected:**

*'All Wards'*

**ITEM 6****LICENSING COMMITTEE****15 MARCH 2017**

Report Sponsor

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Author and contact:

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**Executive Summary:**

Milton Keynes Council regularly reviews its policies to confirm that they are up to date and complies with any recent guidance or changes in legislation. This report is to inform the Committee of the revised Corporate Enforcement Policy

**1. Recommendation(s)**

1.1 That the Corporate Enforcement Policy be noted.

**2. Background**

2.1 The Council's Corporate Enforcement Policy ("Policy") was last updated on 13<sup>th</sup> September 2012. A review of the policy was required following the introduction of the Regulators Code.

2.2 A revised draft of the policy was circulated to Officers responsible for enforcement within the Council for comments.

2.3 These comments were incorporated into the policy. The report was placed on the forward plan and sent for Cabinet approval on 3<sup>rd</sup> January 2017. Report attached at Annex B

2.4 The changes to the previous policy were an update following a revised government guidance and did not represent a significant change in the previous policy. For example the right to appeal a decision on enforcement action, which will be dealt with through the Council's complaints procedure.

2.5 Following the decision of the Cabinet to adopt the policy, the decision was called in by the Chair of the Regulatory and Licensing Committee and the Chair of the Development Control Committee.

2.6 At mediation the call in was withdrawn. It was agreed that this policy would be brought before Regulatory, Licencing and Development Control Committees for information. It was also agreed that proposed changes to policy relevant to the committee's work will be discussed with the Chair prior to approval by Cabinet.

**3. Options**

3.1 Note the report

#### 4. Implications

4.1 Policy - None

4.2 Resources and Risk – There is a risk if enforcement action is taken and the code is not complied with as the decisions could be challenged.

X	Capital	Y	Revenue	X	Accommodation
X	IT	X	Medium Term Plan	X	Asset Management

4.3 Carbon and Energy Management - None

4.4 Legal – Section 22 of the Legislative and Regulatory Reform Act 2006 states:-

(1) A Minister of the Crown may issue and from time to time revise a code of practice in relation to the exercise of regulatory functions.

(2) Any person exercising a regulatory function to which this section applies must, except in a case where subsection (3) applies, have regard to the code in determining any general policy or principles by reference to which the person exercises the function.

(3) Any person exercising a regulatory function to which this section applies which is a function of setting standards or giving guidance generally in relation to the exercise of other regulatory functions must have regard to the code in the exercise of the function.

X	Equalities/Diversity	X	Sustainability	X	Human Rights
X	E-Government	X	Stakeholders	Y	Crime and Disorder

Annex:

A - Corporate Enforcement Policy

B - Cabinet Report of the 7<sup>th</sup> January 2017