

“Our approach to regulation”

This statement outlines our (Wychavon District Council’s) approach to regulation of businesses, residents and voluntary organisations.

By ‘regulation’ we mean the enforcement of laws relating to, for example, planning, building control, housing, environmental health, licensing and parking. Appendix A lists our regulatory functions in more detail.

The Regulators’ Compliance Code

Our Environmental Health (including licensing) and private sector Housing services are required to comply with the Regulators’ Compliance Code (from April 2008) made under the Legislative and Regulatory Reform Act 2006. We will detail the way in which we comply with the Compliance Code in service specific enforcement policies which will be freely available on our website.

Compliance with the Code is mandatory and requires us to formally adopt a number of principles which are already embedded within our regulatory services. In summary we are obliged to:

- Support economic progress
- Use risk assessment to concentrate resources in areas that need them most, and inspect only when necessary
- Provide information and advice and properly communicate legal requirements
- Minimize data collection burdens on businesses
- Enforce in a transparent manner and use sanctions effectively
- Be accountable and independent in our decision making.

The Enforcement Concordat

The Concordat has been in existence since 1998 and is a voluntary Code. It has been superseded for certain regulatory functions by the Regulators’ Compliance Code (see above). All other regulatory functions within the Council will adopt the principles outlined in the Concordat and will detail the way in which these will be achieved through enforcement policies which will be freely available on our website. The Principles, in summary, are:

- Setting of clear standards
- Openness
- Helpfulness
- Proportionality
- Consistency

Our corporate compliments and complaints procedure will apply to complaints regarding the way in which we regulate.

Appendix A

Regulatory services covered by the Compliance Code:

- Pollution of air, land & water including air quality.
- Public health & nuisance including vermin, noise, smoke etc.
- Environmental crime including fly tipping, littering and dog fouling / straying
- Food safety and hygiene in food businesses
- Occupational health and safety at work
- Licensing including taxi licensing, alcohol and entertainment, animal welfare, charitable collections etc
- Infectious disease control
- Private sector housing including property standards, Houses in Multiple Occupation and empty homes and statutory overcrowding

Regulatory services covered by the Enforcement Concordat:

- Planning control including unauthorised developments, breaches of planning conditions, unauthorised change of use, unauthorised works to Listed Buildings, works to trees in a Conservation area, demolition in a conservation area, untidy land and completion notices
- Advertisement control
- High Hedges
- Hedgerow removal
- Tree Preservation Orders
- Control of anti-social behavior and surveillance (subject to PACE Code)
- Fly-tipping, littering and abandoned cars