

**Written statement of a non-key decision**  
**Cabinet**

<b>Title</b>	<b>Single Enforcement &amp; Prosecution Policy</b>
Decision maker	Cabinet Information about cabinet, including the names and contact details of the cabinet members, can be found here: <a href="http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251">http://councillors.herefordshire.gov.uk/mgCommitteeDetails.aspx?ID=251</a>
Date of decision	18 January 2018
Report exemption class	Open
Purpose	Following the adoption of a single enforcement and prosecution policy by cabinet in 2012, the purpose of this report is to improve and update this with a revised overarching enforcement and prosecution policy for all regulatory activities undertaken by or on behalf of Herefordshire Council, together with specific supplementary policies
<b>Decision</b>	<b>That:</b> <b>(a) the single overarching enforcement and prosecution policy (attached at appendix 1) and the following policies forming appendices to that policy (attached at appendices A to F) be approved and implemented with immediate effect:</b>  <ul style="list-style-type: none"> <li>i. <b>Parking Supplementary Enforcement &amp; Appeals Policy,</b></li> <li>ii. <b>Building Control Supplementary Enforcement Policy,</b></li> <li>iii. <b>Planning Supplementary Enforcement Policy,</b></li> <li>iv. <b>Environmental Health (Housing) Supplementary Enforcement Policy,</b></li> <li>v. <b>Code of Conduct for Issuing Penalty Notices for Child Absenteeism, and</b></li> <li>vi. <b>Environmental Enforcement – Fixed Penalty Notice Operational Policy.</b></li> </ul>
Reason for the decision	As set out in the report. Documents relating to this decision are available at <a href="http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?Id=50024375">http://councillors.herefordshire.gov.uk/mgIssueHistoryHome.aspx?Id=50024375</a>

Options considered	<p>1. Do not revise the 2012 overarching policy nor its supplementary policies and instead retain the existing policies. This is not recommended because it would mean that the current policies are not as up to date as they could be and that the council would lack supplementary policies for parking and fixed penalty notices. This could be challenged as and when the council fulfils its statutory regulatory role.</p> <p>2. Return to individual enforcement policies for each discipline, with no overarching policy to unite them all. This is not recommended because it would mean that the council's procedures and policies would be more complex and less consistent, increasing the risk of legal challenge to decisions taken under the policies, and could be perceived to be less transparent.</p>
Declarations of interest (see ▪ below)	
Call-in expiry date (decisions are not subject to call-in where special urgency provisions apply)	25 January 2018

Councillor: ..... Leader of the Council (Councillor AW Johnson)	Date 18 January 2018
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- a record of any conflict of interest declared by any executive member who is consulted by the member which relates to the decision;

and

- in respect of any declared conflict of interest, a note of dispensation granted by the relevant local authority's head of paid service.