

# North Yorkshire Council

## Transport, Economy, Environment and Enterprise Overview and Scrutiny Committee

22 October 2025

### North Yorkshire Council Enforcement Policy

#### Report of the Corporate Director – Environment

#### **1.0 PURPOSE OF REPORT**

- 1.1 The purpose of this report is to seek views from members of the committee on the proposed North Yorkshire Council Enforcement Policy ahead of it being reported to the Executive.

#### **2.0 SUMMARY**

- 2.1 The proposed new North Yorkshire Council Enforcement Policy sets out a clear, consistent, and transparent framework for how the Council will undertake enforcement activities across its services. It aims to ensure that enforcement is carried out in a fair, proportionate, and effective manner, supporting compliance, protecting public interests, and promoting community confidence in how the Council delivers its regulatory role.

#### **3.0 BACKGROUND**

- 3.1 North Yorkshire Council, as a unitary authority, is responsible for a broad and diverse range of regulatory functions. The Council has invested in regulatory services to deliver high quality and efficient local services to support safer, stronger, and healthier communities, protecting public health, safety and the environment and to maintain a fair-trading environment to support businesses and the local economy.
- 3.2 Prior to the formation of North Yorkshire Council, predecessor Council's had their own enforcement policies with differing priorities, resources, and approaches to regulation. We now have an opportunity to harmonise our strategic approach to regulation, across the County, as one Council.
- 3.3 The proposed policy provides an overarching framework for the Council. It is an umbrella policy that aims to support any specific policies drawn up by individual service areas to deliver their specific functions.
- 3.4 The draft policy is attached at Appendix A.

#### **4.0 NORTH YORKSHIRE COUNCIL ENFORCEMENT POLICY**

- 4.1 The proposed policy will ensure public protection, legal compliance and set the framework within which officers of the Council will operate.
- 4.2 The proposed policy commits the Council to good enforcement practice, adhering to current legislation, guidance, and codes of practice.

- 4.3 The proposed policy provides that the Council will exercise its regulatory activities in a way which is:
- **Robust**– where a decision has not been complied with and/or regulations not followed, then we will take robust action to ensure compliance and resolve the issue where we can.
  - **Customer focussed**- We will be customer focussed and have the impact on the resident at the forefront of our mind when taking action.
  - **Fair**– we will deal with all our customers in a fair, open and transparent manner and will keep them informed of progress.
  - **Consistent**– our advice to those regulated will be robust, reliable and similarly advice provided by others will be respected.
  - **Targeted**– resources will be prioritised to deal with the most serious cases where the most harm is caused.

## **5.0 CONTRIBUTION TO COUNCIL PRIORITIES**

- 5.1 The proposed policy supports the Council plan priority of ensuring the people of North Yorkshire are safe, healthy, and living well through the successful delivery of regulation across a diverse range of functions for which the Council has regulatory responsibility.

## **6.0 ALTERNATIVE OPTIONS CONSIDERED**

- 6.1 Continued reliance upon predecessor enforcement policies, although permitted under local government reorganisation transitional arrangements, is not a suitable longer-term position and exposes the Council, and regulatory officers, to risk of legal challenge and obstacle to successful delivery of regulatory functions. Therefore, in essence, bringing forward a harmonised approach is the only viable option.

## **7.0 FINANCIAL IMPLICATIONS**

- 7.1 There are no financial implications directly arising from the proposed policy. The Policy will be delivered through existing Enforcement budgets.

## **8.0 LEGAL IMPLICATIONS**

- 8.1 The proposed policy is in accord with the principles of the Regulators' Code and associated legal requirements, pursuant to the Legislative and Regulatory Reform Act 2006, and the furtherance of good practice in the delivery of the Council's regulatory responsibilities.

## **9.0 EQUALITIES IMPLICATIONS**

- 9.1 An equalities impact assessment screening has been completed and concludes that there is no adverse impact upon protected characteristics arising from the proposed policy. Please see Appendix B.

## **10.0 CLIMATE CHANGE IMPLICATIONS**

- 10.1 A climate change impact screening assessment has been completed and concludes that there are no adverse impacts arising from the proposed policy. Please see Appendix C.

## **11.0 RISK MANAGEMENT IMPLICATIONS**

- 11.1 The proposed policy mitigates risks of non-compliance with the Regulators' Code and associated legal requirements and the furtherance of good practice in the delivery of our regulatory responsibilities.

## **12.0 REASONS FOR RECOMMENDATIONS**

- 12.1 The new North Yorkshire Council Enforcement Policy sets out a clear, consistent, and transparent framework for how the Council will undertake enforcement activities across its services. It aims to ensure that enforcement is carried out in a fair, proportionate, and effective manner, supporting compliance, protecting public interests, and promoting community confidence in regulatory services.
- 12.2 The proposed policy is in accord with the principles of the Regulators' Code and associated legal requirements and the furtherance of good practice in the delivery of our regulatory responsibilities.

## **13.0 RECOMMENDATIONS**

- 13.1 That members note and comment upon the proposed North Yorkshire Council Enforcement Policy.

### **APPENDICES:**

Appendix A – North Yorkshire Council Enforcement Policy

Appendix B – Equalities impact assessment screening form

Appendix C – Climate change impact assessment screening form

### **BACKGROUND DOCUMENTS:** None

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