



THE LONDON BOROUGH
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Bromley Council Public Protection Enforcement Policy

2020

PREFACE

Regulatory compliance and enforcement are common operational activities carried out by the services within the Public Protection Enforcement Portfolio as part of the broader regulatory process, and it involves actions that encourage and compel compliance with a regulatory framework that covers numerous pieces of legislation.

The services within Public Protection and Enforcement Portfolio covered by this Policy include:

- Environmental Health (including Food Safety, Public Health & Nuisance Team, Scientific Services, Licensing, Private Sector Housing Enforcement);
- Trading standards;
- Community Safety ;
- ASB
- Neighbourhood Management (fly tipping etc.) and
- Parking (specifically blue badge misuse.)

Each area of work uses different legislative action to ensure compliance and each has its own extensive body of regulations, codes of practice and guidance to guide their approach.

The primary aim of the Services within the Public Protection and Enforcement Portfolio is to protect the health, safety and economic interests of people, businesses and the environment. This is done by ensuring compliance with the legislative framework so that consumers, businesses, employees, individuals and the environment are protected. The process of regulation involves the ongoing processes of monitoring and enforcing various pieces of legislation, and there are a range of tools available to the Services to achieve this; this Policy details our approach to regulation and subsequently the use of our enforcement powers, and demonstrates our commitment to fair, proportionate, targeted and effective enforcement.

The Council is committed to on-going consultation with businesses and residents in setting its Policy priorities and these will be reflected in its overall enforcement approach.

The Policy cannot be absolutely prescriptive because the circumstances of each individual case and the evidence available must be taken into account. However, this Policy should leave most readers in little doubt as to what they can expect by way of enforcement.

This revised Policy document supersedes any previous versions of our enforcement Policy. In revising this Policy, we have considered how best we can:

- Encourage and promote compliance;
- Improve confidence in compliance for those we regulate;
- Focus on high risk issues;
- Provide encouragement for compliant businesses;
- Understand and minimise the negative economic impacts of our activities; and
- Minimise the costs of compliance for those we regulate.

1. INTRODUCTION

1.1 This Policy sets out the principles that officers will apply when undertaking regulation enforcement activities. We consider that fair and effective enforcement is essential to protect the health, safety and economic interests of all residents and businesses in the Borough of Bromley and those of our visitors.

1.2 In determining this Policy stakeholders have been consulted and current government guidance and relevant codes of practices have also been considered. In particular the requirements of the Legislative and Regulatory Reform Act 2006 (the “2006 Act”), the Enforcement Sanctions Act 2008 and the Regulators’ Code (2014) made under that Act have been taken into account. In doing so, this Policy seeks to ensure that the application of any enforcement is founded around the principles of:

- Raising awareness;
- Proportionality and accountability;
- Consistency in approach;
- Taking a risk based approach;
- Transparency and
- Targeted.

1.3 The Policy will assist Council officers to carry out their duties consistent with the principles of enforcement set out in section 5. The Enforcement Policy helps to promote efficient and effective approaches to regulation, inspection and enforcement, with the aim of complying with regulator’s requirements without imposing unnecessary burdens. It will assist the community and other members of the public to understand why the Council approaches enforcement in a particular way in individual cases.

1.4 Some regulatory activities involve consultation with other agencies before deciding on the most appropriate course of action. Sometimes there will be more than one agency that can take action to resolve an issue. If there is a shared role with other agencies, wherever possible, our enforcement activity will be co-ordinated to minimise duplication, delays or to increase effectiveness.

1.5 Whilst the general principles outlined below will apply in all cases it must be recognised that each individual case will vary and each must be considered on its own merits before a decision is reached. In certain instances for example, we may conclude that a provision in the Regulators’ code is either not relevant or is outweighed by another provision. We will ensure that any decision to depart from the Code or any other of the general principles will be properly reasoned, based on material evidence and documented.

2.0 APPROVAL

2.1 This Policy was approved by the Public Protection and Enforcement PDS Committee of Bromley Council on 4th February 2020.

3.0 **SCOPE**

3.1 This Policy applies to enforcement activities undertaken by the services within Public Protection and Enforcement Portfolio which includes:

- Environmental Health;
- Trading Standards;
- Community Safety;
- Antisocial Behaviour
- Health & Safety
- Parking (specifically blue badge misuse) and
- Neighbourhood Management.

3.2 The works of the above service areas includes:

- Pollution including Statutory Nuisance;
- Environmental Crime on Private Land;
- Food Safety and Standards;
- Licensing – premises, gambling and ancillary functions;
- Health and Safety;
- Private Sector Housing;
- Community Safety;
- Rogue Traders and underage sales
- Blue Badge Misuse and
- Fly-tipping.

3.3 Enforcement, in the context of this Policy, includes action carried out in the exercise of, or against the background of, statutory enforcement. This is not limited to formal enforcement action such as prosecution, and includes, for example, the inspection of premises for the purpose of checking compliance with legislation and the provision of advice to aid compliance.

4.0 **COMMENTING ON THIS POLICY, APPEALING AGAINST AN ENFORCEMENT DECISION OR MAKING A COMPLAINT**

4.1 This Policy once published will be available on the Council's website at: (https://www.bromley.gov.uk/downloads/download/516/environmental_services_-_enforcement_Policy).

You will be able to make comments on this Policy, appeal against an enforcement decision by contacting the relevant team via an email address that will be provided in your correspondence.

We want to provide good quality, value for money services, in a helpful and efficient way, but sometimes things can go wrong. If they do, we need to know so we can put mistakes right quickly and learn from them. The formal complaints procedure is on the Council's website: <https://www.bromley.gov.uk/info/200025/complaints>

5.0 **GENERAL PRINCIPLES OF REGULATION, ENFORCEMENT AND STATEMENT OF INTENT**

5.1 Prevention is better than cure, and it is the goal of the Services within Public Protection, that we seek to ensure that all businesses and people whose activities we regulate comply with the legislation that we enforce, for the good of all people residing, trading within, or visiting the Borough. In undertaking our activities in pursuit of this goal, we generally provide advice and support to those seeking to comply and, at the same time deal with those who choose not to comply, taking a proportionate risk based approach. Where we discover non-compliance we will consider each situation on its own merits. There are, however, general principles that will guide our activity, and the detail on how and when action may be taken is outlined in the content of this Policy, and officers authorised to act under relevant legislation will do so in accordance with this Policy.

We will always seek to act a way which supports those persons whose activities we regulate to comply and, in the case of businesses, grow.

5.2 We will seek to impose requirements upon businesses and other people only where necessary for the public good. We will choose proportionate approaches to those persons whose activities we regulate and will seek to encourage compliance through consensual means wherever possible.

5.3 Officers will enforce against or prosecute those who through suspected neglect, or a deliberate failure to take action, to comply with their legal obligations, where that failure results in actual harm or constitutes a risk to the public or employees, or where action is required to minimise the risk.

We will seek to enable those persons whose activities we regulate to engage with us and provide their views

5.4 In responding to non-compliance we will clearly explain its nature, our advice, what actions are necessary, what we have done, and why. Any persons affected may speak to us about our advice, requirements or decisions. However, we may not be able to provide an opportunity for dialogue where we need to act immediately to prevent or respond to a serious breach of the law or where providing such an opportunity would be likely to defeat the purpose of our planned action.

We will seek to base our regulatory and enforcement activities on risk.

5.5 We will target our resources where they will have the greatest effect. We will carry out inspections only where there is a reason for doing so, for example, when investigating a complaint, in response to intelligence about a particular premises or a particular issue/problem or as part of a risk assessment process. The greatest effort will be focussed where failure to comply would pose a serious risk of harm or injury and there is a high likelihood of non-compliance.

- 5.6 We will apply a light touch approach to those businesses who comply with regulatory requirements, and those who work with us to achieve compliance. However we will not hesitate to use the full range of enforcement tools at our disposal against those businesses or individuals whose activities are likely to cause material loss or harm to others, or endanger the health, safety and wellbeing of people or our neighbourhood.
- 5.7 Enforcement decisions will be made in a fair, independent and objective way and will not be influenced by issues such as ethnicity or national origin, gender, religious beliefs, disability, sexual orientation or the political views of the suspect, victim, witness, offender or council officer.
- 5.8 A person affected by a regulatory or enforcement decision that we have taken or our alleged failure to comply with the Regulators' Code may make an appeal or complaint to us using the contact details set out at Paragraph 4.1 of this Policy.

6. COMPLIANCE WITH THE PRINCIPLES OF GOOD ENFORCEMENT

- 6.1 This Policy has been written with regard to the Regulators' Code which came into force on 6th April 2014. The Regulators Code is a central part of the Government's better regulation agenda. Its aim is to embed a risk-based, proportionate, consistent and targeted approach to regulatory activity and enforcement among the regulators it applies to. The Code also aims to develop transparent and effective dialogue and understanding between regulators and those they regulate.
- 6.2 The Council fully acknowledges and endorses the rights of individuals who may be subject to enforcement. It will ensure that enforcement action will be taken with due regard to:
- Police and Criminal Evidence Act 1984;
 - Criminal Procedures and Investigation Act 1996;
 - Human Rights Act 1998;
 - Regulation of Investigatory Powers Act 2000;
 - Legislative and Regulatory Reform Act 2006 ("LRRRA" and The Regulators Code made under section 22 of the LRRRA 2006);
 - The Ministry of Justice Simple caution for Adult Offenders Guidance, as amended;
 - The Code for Crown Prosecutors;
 - Primary Authority Partnership Scheme;
 - Equal rights and anti-discrimination legislation and
 - Other relevant legislation and guidance.
- 6.3 Where specific advice or direction on enforcement action exists, this will be taken into account as appropriate.
- 6.4 The Council's approach is founded around the principles of:
- **Advice and Guidance;**
 - **Proportionality and Accountability;**

- **Consistency of Approach;**
- **Transparency;**
- **Targeting and**
- **Basing Regulatory Activity on Risk.**

6.5 Advice and Guidance

6.6 The first step in enforcement is to prevent contraventions of the law by raising awareness and promoting good practice, by providing advice, information, guidance and support. The aim is to assist those regulated to understand and meet their responsibilities to comply. In this way the Council Officers will engage with those they regulate and support them to comply and grow by sharing information about compliance and risk, however, the Services within Public Protection will not act as quasi consultants for businesses.

6.7 The Council recognises that should a business enter into partnership with a Primary Authority, the Primary Authority will provide compliance advice and support. This advice will be taken into account when considering whether to take enforcement action, and/or the most appropriate enforcement action to take.

6.8 Proportionality and Accountability

6.9 Proportionality is about balancing the crime or the wrong being investigated and the risk, nuisance or disadvantage being caused. Our activities will reflect the level of risk to the public and enforcement action taken will relate to the seriousness of the offence.

6.10 Where the law requires that risks should be controlled “as far as reasonably practicable” officers, will take into account the cost and the ease of any suggested action as well as the degree of risk. However, some irreducible risks may be so serious that they cannot be permitted irrespective of the economic consequences e.g. industry/safety standards and public safety.

6.11 Visits and inspections are usually made unannounced but, if appropriate and where necessary, appointments will be made or advance notice will be given. Where access cannot be obtained during the day, or in other appropriate circumstances, visits will be made outside normal working hours. Unless carrying out authorised covert surveillance work, test purchasing or unless health and safety reasons at the time dictate otherwise, enforcement officers will identify themselves by name and their role within the Council and will produce their Authorisation Warrant, when required by law or when requested.

6.12 Consistency in Approach

6.13 Consistent in approach means taking a similar approach in similar circumstances to achieve similar ends. The Council aims to achieve consistency when: responding to requests for service; offering advice; and deciding upon enforcement action.

- 6.14 Consistency does not mean uniformity. Officers will need to take account of many variables when making decisions, including: the seriousness of the breach; any history of previous breaches; the attitude of the offender; and the capacity of the offender.
- 6.15 Whilst the appropriate officer will be expected to exercise judgement in individual cases, the Council will continue to strive to promote consistency, including: advice, guidance and training for its officers; and arrangements for effective liaison with other enforcing bodies.
- 6.16 **Transparency**
- 6.17 Transparent means helping those who are regulated and other individuals to understand: what is expected of them; and what they should expect from the Council as an enforcing authority.
- 6.18 Transparency involves distinguishing between statutory requirements and other advice and guidance, explaining why an officer will or has taken enforcement action; explaining how to comment or complain about the service provided and routes to appeal.
- 6.19 **Targeted**
- 6.20 The decision to inspect specific premises may be taken due to complaints, or problems that have been reported, e.g. general complaint about a noise issue, which needs investigating, or, the premises need to be inspected due to its risk rating (which determines the frequency of enforcement inspections for high and medium risk premises).
- 6.21 Enforcement will be targeted to those persons, premises and/or companies whose activities give rise to the risks that are the most serious or least well controlled. Officers therefore target their enforcement action in three ways:
1. Firstly, officers carry out programmes of inspections on a risk rating basis. Premises or activities with the highest hazards, greatest risks, poorest compliance and worst management will be inspected more frequently than those premises with low risk activities. It follows that most of the enforcement activity arising from pro-active programmes will be targeted on the cases most requiring it.
 2. The second targeting mechanism is the investigation of complaints where evidence, experience, receipt of intelligence and this Policy are used to determine enforcement action.
 3. The third targeting mechanism is planned, special surveys, multi-agency initiatives and other enforcement initiatives carried out in response to national concerns or as voiced by the government or its agencies, identified by council officers or local concerns as voiced by Members of the Council, or residents.

6.22 Basing Regulatory Activity on Risk

6.23 See 5.5

7.0 INVESTIGATIONS

7.1 The Council will determine the appropriate approach to investigation having regard to the content of this Policy, including the principles of enforcement, (set out in section 6 of this Policy document).

8. INFORMATION REQUIREMENTS

8.1 We do not routinely require information from businesses, and when determining what data we may require, we will consider the costs and benefits of data requests to businesses and:

- Limit the data that we request to that which is either appropriate, or required by statute e.g. food registration, licensing applications, etc.;
- Minimise the frequency of collection and seek the information from other sources where relevant and possible.

9. ENFORCEMENT OPTIONS

9.1 Our experience shows that most businesses and people that we encounter will aim to comply with the laws that we enforce. We wish to assist this majority to comply and will seek to help them to do so wherever possible. However, in the interests of justice, it will be necessary for us to take legal action in response to in some cases of non-compliance. There are a number of options available to us in response to past non-compliance or in anticipation of potential future non-compliance.

9.2 The level of enforcement action taken varies from no action through to formal proceedings in court. The main types of action are listed below, but the list is not exhaustive:

- No action;
- Informal Action and Advice;
- Warning Letters;
- Information Notices;
- Fixed penalty or similar notices;
- Variable Monetary Penalty (penalty charges);
- Statutory notices and Orders;
- Powers of Entry, Seizure/Confiscation;
- Forfeiture proceedings;
- Injunctive actions and other civil procedures;
- Refusal, revocation, suspension or variation of licence or permit;
- Simple caution;
- Works in default and
- Prosecution.

9.3 In deciding what action to take in response to non-compliance or in anticipation of potential future non-compliance, consideration will be given to, among other criteria:

- The seriousness and effect of the offence;
- The previous history of the party concerned;
- Whether the offence was intentional, accidental or otherwise;
- The offender's attitude to the offence and whether he or she has shown remorse;
- The willingness of the alleged offender to prevent a recurrence;
- The consequences or potential consequences of non-compliance;
- The deterrent effect of a prosecution on offenders and others;
- Whether there is sufficient evidence to prove the offence,
- Whether it is in public interest, and
- The age, capacity or vulnerability of the offender.

9.4 In the main, a process of escalation will be used until compliance is reached. Exceptions may occur where there is a serious risk to public safety or the environment or the offences have been committed deliberately or negligently or involve deception, or where there is significant economic detriment.

9.5 **NO ACTION**

There will be circumstances where a contravention may not warrant action, or it may be inappropriate. Many minor contraventions can be dealt with via advice and/or assistance.

9.6 **INFORMAL ACTION AND ADVICE**

For certain minor breaches of the law we will give advice on how to put them right, including a deadline by which this must be done. The time allowed will be reasonable and will take into account the seriousness of the contravention and the implications of the non-compliance. Where the advice required is detailed, or there are potentially serious implications from the failure, the advice will be provided in writing. Failure to comply could result in an escalation of enforcement action.

Wherever possible we will advise the person or business about 'good practice', but we will clearly distinguish between what they must do to comply with the law and what is recommended best practice.

9.7 **WARNING LETTERS**

This sort of action will be appropriate where the degree of risk (or in some cases environmental impact) from any given situation is minor, but cannot be rectified immediately. The breach of legislation is often technical but significant enough to warrant a written letter of warning. Formal action

may be taken if similar infringements are found in the future. The person responsible would have no recent history of non-compliance and the officer would have good reason to expect them to put right the matters in question without the need for further intervention.

Informal action will be recorded on departmental files and will be used as a basis for judgements on future enforcement action if there are recurrent problems with an offender or premises.

9.8 INFORMATION NOTICES

Many pieces of legislation that we enforce enable officers to demand information which is essential in order to serve notices or summons correctly. When the officer is uncertain about the information we hold, or where certain details are unknown, the officer will serve an information notice on those that have an obvious connection to the case, requiring for instance ownership confirmation, or perhaps company or premises details. Failure to comply with an information notice may hinder the Council in discharging its duties and is regarded as a serious offence, which will be pursued.

9.9 FIXED PENALTY NOTICES

Certain offences are subject to fixed penalty notices where prescribed by legislation. These notices are recognised as a low-level enforcement tool and avoid the defendant obtaining a criminal record. Where legislation permits an offence to be dealt with by way of a Fixed Penalty Notice (FPN), we may choose to administer a FPN on a first occasion, without issuing a warning.

They will be used in appropriate circumstances to give a fast and measured response to the situation.

Payment of a fixed penalty does not provide immunity from prosecution in respect of similar or recurrent breaches. If a fixed penalty is not paid the Council may commence criminal proceedings or take other enforcement action in respect of the breach. Fixed penalty notices will not be issued to persons under the age of 16 years.

9.10 VARIABLE MONETARY PENALTY (penalty charges)

With regard to determining breaches of housing legislation, for example The Redress Schemes for Lettings Agency Work and Property Management Work (Requirement to Belong to a Scheme etc.) (England) Order 2014, and The Smoke and Carbon Monoxide Alarm (England) Regulations 2015, is the ability to issue Variable Monetary Penalties (penalty charges) for regulatory non-compliance.

Bromley Council as the enforcement authority can impose a penalty charge of up to £5000 where it is satisfied that there is an offence against this legislation.

The expectation contained in Government guidance is that a £5000 fine should be considered the norm, and that a lower fine should only be charged if the enforcement authority is satisfied that there are extenuating circumstances. It will be up to the enforcement authority to decide what the extenuating circumstances might be, taking into account any representations made.

9.11 STATUTORY NOTICES AND ORDERS

We may serve statutory notices and orders under various Acts that:

- Prohibit the sale or distribution of food or use of property for letting where relevant provisions may have been breached;
- Prohibit the use of equipment, carrying out activities, entry to certain areas of a site etc. where there may be a risk of personal injury;
- Require a business or person to take specific actions to remedy an identified problem;
- Require a business or person to desist from particular activities that may not comply with legal requirements;
- Require any business or person to take action to ameliorate or stop nuisances being caused by their actions.

Notices may require immediate action where, for example, there are risks to public health or safety, or an immediate risk of environmental damage or serious nuisance. In other circumstances, a reasonable amount of time will be given, depending on the circumstances, to rectify the problem.

Details of the method of appealing against the requirements of a notice will be given with the notice. Failure to comply with a notice or an order may lead to further enforcement action.

9.12 POWERS OF ENTRY SEIZURE/CONFISCATION

Some legislation enables our officers to seize goods, equipment or documents, however, powers of entry, search and seizure will be fully and clearly justified before use, and Officers will consider if the necessary objectives can be met by less intrusive means.

In all cases authorised officers will:

- exercise their powers courteously and with respect for persons and property; and
- in circumstances where a warrant has been obtained and is appropriate, only use reasonable force when this is considered necessary and proportionate to the circumstances.

9.13 FORFEITURE PROCEEDINGS

This procedure may be used where there is a need to dispose of goods in order to prevent them re-entering the market place or being used to commit offences in the future. An application for forfeiture may be made to a Court following a prosecution or separately, as appropriate.

9.14 INJUNCTIVE ACTIONS AND OTHER CIVIL PROCEDURES

We may use civil procedures in order to encourage persons whose activities frequently appear to breach legal requirements to improve their conduct. We will initially contact the person concerned, in order to seek to bring about compliance quickly. If the non-compliance continues we may then consider the commencement of injunctive proceedings without further delay.

9.15 REFUSAL, REVOCATION, SUSPENSION OR VARIATION OF A LICENCE OR PERMIT

We may refuse, revoke, vary or suspend a licence or permit where we consider it necessary, in the public interest, to do so. The term "licence or permit" refers in this Policy to all permissions or authorisations granted or potentially granted by the Council and administered by teams within Public Protection.

9.16 WORKS IN DEFAULT

Where a person upon whom we have served a statutory notice fails to undertake works required by the notice, we may act to complete the works ourselves. In determining whether carrying out works in default is the most appropriate course of action we will consider:

- The effects of not carrying out the work on the health, safety and welfare of relevant persons;
- The reason for the work not being carried out previously by the person responsible; and
- Whether the benefits justify the costs and the action poses the minimum burden necessary to achieve the objective.

Where we undertake works in default we will seek to recover all reasonable costs that we have incurred by any means legally available to us; which may include placing a charge on a property.

9.17 SIMPLE CAUTION

Generally, a Simple Caution (or Reprimand/ Final Written Warning if the offender is under 18), may be used where a person has admitted a criminal offence but we consider that it is not in the public interest that a prosecution should follow. In offering a Caution, we will take account of the Home Office Guidelines in relation to the cautioning of offenders and the Code for Crown Prosecutors.

Where the offender is under 18 and a formal approach is being considered, appropriate bodies such as the Youth Offending Team will be consulted. A Caution requires an admission of guilt on behalf of the offender, however there is no sentence and there is no recorded conviction. A caution will remain on record for a period of two years and may be cited in Court should a further offence be committed and prosecuted during that time, and this may influence the severity of the

sentence that the Court imposes. Where a simple caution is offered and declined the Council will consider prosecution.

9.18 PROSECUTION

The commencement of a prosecution is the most serious response to an apparent incidence of non-compliance with the law.

Once an officer has completed his/her enquiries, a case report will be submitted to a Manager authorised to institute legal proceedings, who is independent of the investigation, and who will decide, using the criteria below, the most appropriate course of action.

The officer authorised to institute legal proceedings will take into consideration the requirements of the Code for Crown Prosecutors and other relevant codes before deciding whether or not to authorise the institution of legal proceedings. This officer will have to be satisfied that there is sufficient evidence to provide a realistic prospect of conviction against each defendant on each charge (i.e. that a jury or bench of Magistrates, properly directed in accordance with the law, is more likely than not to convict the defendant of the charge alleged). To this end, the officer authorised to institute legal proceedings will look at all the available evidence, reliability of witnesses, supporting documentation and any other matters relating to the investigation. They must consider what the defence case may be and how it is likely to affect the prospects of conviction [Code for Crown Prosecutors].

Only when this evidential test has been satisfied will the public interest to proceed with the prosecution be considered.

In deciding whether to commence a prosecution we will have regard to the Code for Crown Prosecutors. In general terms, this means that we may bring a prosecution when consideration of the evidence suggests that there is a realistic prospect of conviction and that it is in the public interest to do so. The Manager involved in making the more serious decisions will also have regard to advice from the Council's Legal Services.

The final decision to prosecute rests with the Council's senior legal officer following a recommendation by the Head of Service who will consider the policies and procedures before giving his/her authorisation to proceed with formal action.

In the event that a prosecution secures a conviction the Council will seek to recover our costs associated with the prosecution.

10.0 LIAISON WITH OTHER REGULATORS

10.1 Where appropriate, enforcement activities will be coordinated with other regulatory bodies and enforcement agencies to maximise the effectiveness of any enforcement. The Council will respect advice that has been provided by other regulators and enforcement agencies. Where an enforcement matter affects a wide geographical area beyond the Council's

boundaries, or involves enforcement by one or more other local authorities or organisations, where appropriate all relevant authorities and organisations will be informed of the matter as soon as possible, and all enforcement activity coordinated with them.

11.0 PROCEEDS OF CRIME ACT

11.1 Applications may be made under the Proceeds of Crime Act for confiscation of assets in serious cases. Their purpose is to recover the financial benefit that the offender has obtained from any criminal conduct. Applications are made after a conviction has been secured.

12.0 ENFORCEMENT ON COUNCIL PREMISES, OR AT EVENTS ORGANISED BY THE COUNCIL

12.1 In principle the Council cannot legally enforce against itself. Where infringements on Council premises, or at events organised by the Council are identified, the matter will be formally notified to the appropriate Director.

If the potential breaches of the law are the responsibility of contractors employed by the Council, enforcement action will be taken against the contractor in the same way as in other cases not involving the Council.

13.0 REVIEW

13.1 This Policy and any appendices will be reviewed as and when events and circumstances lead us to consider it appropriate to do so. Any amendments required will be made by means of the Council's usual arrangements for making decisions.