

**CYNGOR SIR POWYS COUNTY COUNCIL.**  
**Portfolio Holder Decision**  
**26 January 2012**

**REPORT AUTHOR: Senior Manager Waste Services**

**SUBJECT: Waste Services Enforcement Policy**

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**REPORT FOR: Decision**

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**Summary**

This report outlines a high level enforcement policy for waste services for adoption by the authority. This will ensure that any enforcement activity in relation to waste activities is undertaken within a framework that means the authority is acting in a considered and fair manner.

**Proposal**

The policy has been adapted from one that is already in existence for Public Protection activities. It has been changed slightly to reflect the different work areas and legislation that is applicable to waste related activities. Other than that the document is the same and therefore follows enforcement principles already adopted by the authority.

The Council needs to have an enforcement policy like this in place for waste services. Without one the authority is not in a position to take enforcement action that could lead to possible sanctions as it would not have a sound legal footing on which to do so. Although the Council adopts a regime of education before sanctions it has to retain the ability to pursue sanctions in accordance with legislation in the event that this deemed appropriate.

It is proposed that the Council formally adopt this Enforcement policy in relation to waste services.

**Powys Change Plan**

The ability to take enforcement action could support the Council in the Climate Change Programme and help to ensure the county is considered 'clean and green'. There are also links to the Community Safety work of the authority and its partners.

**Options Considered/Available**

Without this policy the Council is unlikely to be well placed legally to pursue sanctions in relation to waste management legislation. It also will not be able

to demonstrate to residents and business the approach it is taking in relation to the compliance with environmental legislation.

**Preferred Choice and Reasons**

The proposed policy at attached to this report and as outlined above is based on documents within the Public Protection Service.

**Support Services (Legal, Finance, HR, ICT, BPU)**

The document has been drafted in conjunction with officers from the legal department. There are no immediate HR or ICT issues with regard to this report.

**Statutory Officers**

The view of the Strategic Director, Finance & Infrastructure (Section 151 Officer) is this proposal is within existing budget.

The Strategic Director, Law & Governance (Monitoring Officer) supports the adoption of an Enforcement Policy.

<b>Recommendation:</b>	<b>Reason for Recommendation:</b>
<b>The Enforcement Policy for Waste Services is formally adopted by the authority</b>	<b>So that the Council is in a robust position to enforce the relevant environmental legislation</b>
	<b>So residents and businesses area aware of the approach of the Council to enforcing environmental legislation.</b>

<b>Relevant Policy (ies):</b>	Waste Services Enforcement Policy		
<b>Within Policy:</b>	<b>Y</b>	<b>Within Budget:</b>	<b>Y</b>

<b>Relevant Local Member(s):</b>	
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<b>Person(s) To Implement Decision:</b>	<b>Senior Manager – Waste Services</b>
<b>Date By When Decision To Be Implemented:</b>	

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