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## **Decision Session - Executive Member for Neighbourhoods & Housing**

**15<sup>th</sup> March 2011**

Report of the Assistant Director – Housing & Public Protection

### **Public Protection Legal Actions**

#### **Summary**

1. The purpose of this report is to enable the Executive Member for Communities & Neighbourhoods to review the results of legal actions (prosecutions, cautions and fixed penalties) undertaken by Environmental Health, Trading Standards, and Licensing Services in the Communities and Neighbourhoods Directorate for the period 1<sup>st</sup> October 2010 – 31<sup>st</sup> December 2011 and approve the continuation of the current enforcement policy.

#### **Background**

2. The Executive Member for Environment and Sustainability approved an enforcement policy for Environmental Health, Trading Standards, Licensing, Street Environment and Enforcement Services in March 2008.
3. This report details the results of prosecutions taken in the period 1<sup>st</sup> October 2010 – 31<sup>st</sup> December 2011 by Environmental Health, Trading Standards, and Licensing Services. In accordance with the policy each case is considered on its merits before legal proceedings are instituted.
4. Annex A summarises the prosecutions completed, fixed penalty notices and simple cautions that have been issued. A simple caution is a Home Office approved procedure which is an alternative to prosecution. It involves a written acceptance that an offence has been committed and may be drawn to the attention of a court if any subsequent offence is committed within two years of issue.

#### **Consultation**

5. Not applicable.

#### **Options**

6. Not applicable as members are being asked to note the content of the report.

## Analysis

7. Not applicable.

## Corporate Objectives

8. Two corporate priorities are “To reduce the actual and perceived impact of violent, aggressive and nuisance behaviour of people in York” and “To improve the health and lifestyles of the people who live in York”.

## Implications

9. **Financial:** There are no financial implications associated with this report.
10. **Human Resources:** There are no Human Resources implications associated with this report.
11. **Equalities:** There are no equalities implications associated with this report.
12. **Legal:** There are no legal implications associated with this report
13. **Crime and Disorder:** Formal enforcement action taken by Environmental Health, Trading Standards and Licensing services contributes to reducing anti social behaviour and dishonest trading.
14. **Information Technology (IT):** There are no IT implications associated with this report.
15. **Other:** There are no other implications associated with this report.

## Risk Management

16. There are no known risks associated with this report.

## Recommendations

17. That the Executive Member:
  - Approve this report and the continuation of the current enforcement policy.

**Reason:** so that the Executive Member reviews formal enforcement activity undertaken by Environmental Health, Trading Standards, and Licensing Services.

## Contact Details

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### Chief Officer Responsible for the report:

Steve Waddington  
Assistant Director (Housing and Public  
Protection)

Report Approved



Date 04/02/2010

Specialist Officer Implications: None

Wards Affected:

All



**Background Papers:**

Environmental Health, Trading Standards, Licensing, Street Environment and Enforcement Services Enforcement Policy (June 2008)

**Annexes**

Annex A: EH, TS and Licensing Formal Enforcement Action 1<sup>st</sup> July 2010 – 30<sup>th</sup> September 2010