



**Prosperous Communities
Committee**

Tuesday 1st December 2020

Subject: Environmental Protection Policy

Report by:

Chief Executive

Contact Officer:

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Purpose / Summary:

This report presents a newly developed Policy which provides a framework for the functions undertaken by the Environmental Protection work area. The development of this Policy is in response to the work area audit review carried out in 2019 in which substantial assurance was achieved.

RECOMMENDATION(S):

Committee are asked to:

- a) Approve the Environmental Protection Policy.
- b) Approve that any housekeeping changes to the Policy can be agreed with the Chief Executive in consultation with Chair of the Committee.

IMPLICATIONS

Legal:

In order to make effective and justifiable decisions the Council must have a framework that sets out in position across the various work areas included. This helps to ensure that the Council is on a sound legal footing if it is ever subject to challenge and makes clear to all stakeholders how the Council will act in certain situations.

Each work area covered within the Policy refers back to legislation and guidance, which is then supported by the Council's Corporate Enforcement Policy.

Financial : FIN/90/21/A/SSc

There are no financial implications arising from this report.

Staffing :

There are no staffing implications within the report

Equality and Diversity including Human Rights :

There are no equality and diversity implications within the report

Data Protection Implications :

There are no data protection implications within the report

Climate Related Risks and Opportunities :

A number of the functions within this Policy have a direct impact upon climate change. The work the Council undertakes in relation to air quality, contaminated land, smoke control and environmental permitting all contributes towards the overall regulatory objectives in regards to climate change nationally.

The Policy also contributes to the Council's local commitments within its Corporate Plan and Carbon Reduction targets.

Section 17 Crime and Disorder Considerations :

Health Implications:

Large parts of this Policy have a direct impact on the health of the public and it is essential that the Council has a regulatory framework in place to ensure that its obligations are met and that the impact of these implications are minimised.

Title and Location of any Background Papers used in the preparation of this report:

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Risk Assessment :

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Call in and Urgency:

Is the decision one which Rule 14.7 of the Scrutiny Procedure Rules apply?

i.e. is the report exempt from being called in due to urgency (in consultation with C&I chairman)

Yes

No

Key Decision:

A matter which affects two or more wards, or has significant financial implications

Yes

No

1 Introduction

- 1.1 This Policy is newly developed and provides a framework for the functions undertaken by the Environmental Protection work area. The development of this Policy is in response to the work area audit review carried out in 2019 in which substantial assurance was achieved.

2 Scope

- 2.1 The Policy covers the following functions and sits underneath the Corporate Enforcement Policy;

- Statutory Nuisance (Noise, Smoke, Odour, Accumulation of Waste)
- Smoke Control
- Air Quality
- Environmental Permitting
- Public Health Drainage
- Contaminated Land
- Prevention of Damage by Pests
- Private Water Supplies
- Sunday Trading

- 2.2 The Policy aims to provide a clear framework in which to make decisions and to ensure that the Council's position is clear in relation to the matters covered within it.

3 Implementation

- 3.1 It is intended for the Policy to come into effect immediately after the call-in period subject to its approval, with the implementation date being the 9th December 2020.

4 Recommendations

- 4.1 Committee are asked to:

- a) Approve the Environmental Protection Policy.
- b) Approve that any housekeeping changes to the Policy can be agreed with the Chief Executive in consultation with the Chair of the Committee.