

Agenda

Page No

1. Minutes

To confirm the decisions of the meeting held on 13 April 2021 (CA.33 - CA.38), previously circulated.

2. Apologies for Absence

Resources Management

3. Business Grants – Revised Additional Restrictions Grant Scheme

1 - 6

Further to the report presented to Cabinet on 13 April 2021 regarding Business Grants – Additional Restrictions Grant Scheme, this report seeks approval for a revised scheme.

In accepting the recommendations, Cabinet will approve the remaining Additional Restriction Grant is used to support businesses as detailed in the table in paragraph 1.14 of the report; and delegated authority be given to the Deputy Chief Executive and Deputy Leader (Portfolio Holder for Economic Development and Finance) to allocate the remaining Additional Restriction Grant as appropriate as detailed in paragraph 1.15 of the report.

Relevant Ward(s): All Wards

4. Digital High Street

7 - 16

This report seeks approval for the delivery of a pilot project to encourage local businesses to develop and/or improve their online presence and connection with their customer base through social media platforms.

In accepting the recommendation, Cabinet will approve the project and the funding proposal as set out in paragraphs 4.1 and 4.2 of the report.

Relevant Ward(s): All Wards

Policy and Strategy

5. Hambleton Tourism Plan

17 - 28

This report seeks approval for the Hambleton Tourism Plan and associated resources to support its implementation.

In accepting the recommendations, Cabinet will approve and recommend to Council that the Hambleton Tourism Plan is approved; and Cabinet will approve the resources of £62,500 to support the implementation of the Tourism Plan are approved as set out in paragraphs 4.1 to 4.3 of the report.

Relevant Ward(s): All Wards

Policy Implementation

6. Environment and Leisure & Communities Directorates Enforcement Policy

29 - 68

This report presents the updated Environment and Leisure and Communities Directorates Enforcement Policy (Annex A). The Directorates must have an enforcement policy to ensure that they act fairly and consistently when taking enforcement action and this approach is to be agreed by Council.

In accepting the recommendations, Cabinet will approve and recommends to Council that the Environment and Leisure and Communities Directorates Enforcement Policy attached at Annex A of the report is adopted.

Relevant Ward(s): All Wards

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Hambleton District Council

Report To: Cabinet

Date: 8 June 2021

Subject: **Business Grants – Revised Additional Restrictions Grant Scheme**

Portfolio Holder: Economic Development and Finance
Councillor P R Wilkinson

Wards Affected: All Wards

1.0 Purpose and Background

- 1.1 Further to the report presented to Members at cabinet on 13 April 2021 regarding Business Grants – Additional Restrictions Grant Scheme, this report seeks approval for a revised scheme.
- 1.2 The Additional Restrictions Grant is a discretionary grant provided by the Department for Business, Energy and Industrial Strategy to all Council's to support businesses in the local economy where the Council has the discretion to determine the scheme criteria when providing funding directly to individual businesses; the grant can also be used to support businesses generally across the wider economy for funding business support activities, advice and guidance for businesses as well as skills training to support businesses ability to trade in changed circumstances.
- 1.3 A revised Additional Restrictions Grant Scheme is being suggested just two months after the initial scheme was approved because the position with supporting local business through this grant scheme is fast changing.
- 1.4 Initially the Additional Restrictions Grant of £1,831,634 was allocated when national restrictions were announced on 31 October 2020 and was intended to be used across Financial Years 2020/21 and 2021/22 where no further funding would be available; the Council therefore needed to be mindful how it would be allocated over the remainder of 2021/22. The Council then received a top-up to the Additional Restrictions Grant scheme £813,634 in January 2021, as a result of further national restrictions being imposed. A further top-up was announced in the 2021 Budget, where this Council will receive £953,008 subject to spending the existing allocations of Additional Restrictions Grant by 30 June 2021.
- 1.5 At the time the Business Grants – Additional Restrictions Grant Scheme was reported to Cabinet in April 2021, the Council had to have spent or made a 'valid attempt' to spend 100% of their first two Additional Restrictions Grant Allocations to be eligible for the top -up allocation. However, in the last few weeks the Department for Business, Energy and Industrial Strategy has clarified that all funding has to be expended by 30 June and not just a 'valid attempt' be made to spend the first two allocations in order to be eligible to receive the additional top-up allocation.

- 1.6 In light of this the ‘Business Grants – Additional Restrictions Grant Scheme’ has been reviewed to undertake that businesses in the district are being supported to their maximum whilst ensuring that best value is being assured from the Government allocations.
- 1.7 In the Cabinet report on 13 April 2021, a table was included at paragraph 2.12 (shown below for reference) which detailed how the Additional Restriction Grant scheme funding was to be expended, where Members specifically approved the last two lines in the table as follows: “that the remaining Additional Restriction Grant is used to:
- (1) set up £400,000 ‘Additional Restrictions Grant Business Support Grants’ and
 - (2) allocate £100,000 to LEP Business Support Activities

Funding	Amount £
Funding Received	2,645,514
Lockdown Periods -Grants Paid from 2 November – 31 March 2021	-1,239,742
Restart Grants estimated from 1 April 21 One Off Payment	-445,772
One-Off Payment £1,000 per business	-260,000
Further grant payments in all current schemes	-200,000
ARG Business Support Grants – new Scheme	-400,000
Contribution Y&NY LEP business support activities	-100,000
Total spend	2,645,514
Balance	0

- 1.8 Further to the Cabinet report on 13 April 2021, the approval and the table detailed above, the following paragraphs explain the changes now proposed for the use of the Additional Restrictions Grant.
- 1.9 **Lockdown Periods and restart Grants** - Changes to the way the funding is being used from the Additional Restrictions Grant scheme before the 30 June is that an increased number of grant requests have been received and are being assessed for the ‘Lockdown Periods’ grants the council is offering and also the ‘Restart Grants’ where the majority of awards are for businesses that do not have a business rate number and a minority of cases where it is felt that additional support is required.
- 1.10 The **‘One-Off Payment £1,000 per business’** has now been reassessed and it is now considered more appropriate to support those business that applied for an Additional Restrictions Grant for the January period to receive additional funding in line with business rated businesses which received a one-off Closed Business Lockdown Payment and therefore the initial allocation of £1,000 as the one-off payment as detailed in the table above will be increased so that different amounts will be allocated to business in line with the costs and losses that their businesses incurred.

- 1.11 **‘Further grant payments in all current schemes’** is funding allocated to support businesses across all categories of the grant schemes and this has been reduced as time has moved forwards and less funding is identified to be required.
- 1.12 For the **‘ARG Business Support Grants’** and **‘Contribution Y&NY LEP business support activities’** that were approved at Cabinet on 13 April 2021 to be expended before 30 June 2021, it is recommended in this report that there is insufficient funding to provide these grants at this stage due to the limited amount of grant funding now available as funding has been distributed through the other schemes set up in the last two months. This has been discussed with York & North Yorkshire Local Enterprise Partnership and they are in agreement that the allocation of £100,000 will still be allocated to them from the further top-up if the initial £2,645,145 is expended. This is the same for the **‘ARG Business Support Grants’** where the Council will still offer these grants but after 30 June 2021. If the current allocation is not spent, then no further funding will be received and this support will not occur.
- 1.13 **Wider local economy support for business, guidance, advice and skills** – in addition to supplying individual businesses support through grant funding the Additional Restrictions Grant can also be used to support the wider economy of the district. An example of this is as described above providing funding to the Local Enterprise Partnership but also to other external bodies who have delivered training / workshops /guidance /advice. It may also be used to fund individual businesses who request support directly from the Council where the Council will use local knowledge to determine if the economy and the district will benefit from providing this individual support. Additional Restrictions Grant can also be used to fund staff employed by the Council for the sole purpose of providing business support but cannot be used as a wage support mechanism, for infrastructure and capital projects, or any initiative whereby the Local Authority is the direct recipient.
- 1.14 It is proposed that the expenditure of the grant schemes already set up is the focus of the current allocation provided from Government of £2,645,145. This **Business Grants – Revised Additional Restrictions Grant Scheme** is detailed in the following table:

Funding	Amount £
Funding Received	2,645,514
Lockdown Periods - Grants paid and to be paid from 2 November – 31 March 2021 as paragraph 1.9	-1,502,458
Restart Grants from 1 April 21 as paragraph 1.9	-616,012
One-Off Payment various amounts per business as paragraph 1.10	-435,000
Further grant payments in all current schemes as paragraph 1.11	-15,000
Wider local economy support - Guidance / Skills Workshop – Insight with Passion Ltd as paragraph 1.13	-77,044
Total spend	2,645,514
Balance	0

1.15 It should be noted that there is a risk that the funding currently received will not be expended by 30 June 2021 and no further funding will be allocated from Government. The table above is the current estimate as to where the Additional Restrictions Grant funding will be allocated, however it is recommended that delegated authority is provided to the Deputy Chief Executive in consultation with the Deputy Leader (Portfolio Holder for Economic Development and Finance) to allocate funding as is appropriate in a fast changing environment regarding this matter as estimates vary.

3.0 Link to Council Priorities

3.1 The Business Grants – Additional Restrictions Grant Schemes aims to support economic recovery in response to the Covid-19 pandemic and backs the Economic Response and Recovery Plan to build future resilience of businesses based within Hambleton district; this supports the Council priority of Driving Economic Vitality.

4.0 Risk Assessment

4.1 Risk in approving the recommendations

Risk	Implication	Prob	Imp.	Total	Preventative Action	Net Prob	Net Impact	Net total
Reputational Risk to the Council	Council may be criticised if the opportunity to spend the grant is missed by 30 June 2021 and the further allocation is not received	5	4	20	Approve the Scheme in the awareness that the further allocation will not be received	3	4	12

5.0 Financial Implications

5.1 The Council has received £2,645,514 of Additional Restrictions Grant funding where £1,831,634 was allocated when national restrictions were announced on 31 October 2020 and a top-up allocation of £813,634 in January 2021, as a result of further national restrictions being imposed. If this funding is expended by 30 June 2021 then a further allocation announced in the 2021 Budget of £953,008 will be allocated

5.2 If the current allocation of £2,645,514 is not expended by 30 June 2021 then no further allocation will be received.

6.0 Legal Implications

6.1 There are no legal implications.

7.0 Equality/Diversity Issues

7.1 Equality and diversity issues have been considered however there are no issues associated with this report.

8.0 Recommendation

8.1 That Cabinet approves:

- (1) the remaining Additional Restriction Grant is used to support businesses as detailed in the table in paragraph 1.14 of the report; and
- (2) delegated authority is given to the Deputy Chief Executive and Deputy Leader (Portfolio Holder for Economic Development and Finance) to allocate the remaining Additional Restriction Grant as appropriate as detailed in paragraph 1.15 of the report.

Mick Jewitt
Deputy Chief Executive

Background papers: Cabinet 13 April 2013 - Business Grants: Additional Restrictions Grant Scheme report

Author ref: LBW

Contact: Louse Branford-White
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Tel: 01609 767024

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Hambleton District Council

Report To: Cabinet

Date: 8 June 2021

Subject: **Digital Lab Project**

Portfolio Holder: Economic Development and Finance
Councillor P R Wilkinson

Wards Affected: All Wards

1.0 Purpose and Background

- 1.1 This report seeks approval for the delivery of a pilot project to encourage local businesses to develop and/or improve their online presence and connection with their customer base through social media platforms.
- 1.2 The project has been developed with reference to the Councils Response and Recovery Plan in response to a call for projects by the Local Enterprise Partnership under the Community Renewal Fund. This is a fund which Government has designated North Yorkshire County Council as the lead authority who have in turn delegated the development of proposals for some themes to the Local Enterprise Partnership. The Community Renewal Fund prospectus outlines how funds are made available to lower tier areas and sets out how bids are scored on a number of criteria.
- 1.3 One of the scoring criteria is that the majority of projected activity funded must be delivered in the highest priority areas. Hambleton has been scored as a low priority area, only Richmondshire and Scarborough are scored as high priority in North Yorkshire. However in developing their delegated themes of the Community Renewal Fund the Local Enterprise Partnership has called for projects and has then worked with districts to try and ensure there is the potential for funded activity in all areas.
- 1.4 Working with the Local Enterprise Partnership a project has been developed that is intended to help businesses adapt to changes in consumer habits arising from the growth in online trading particularly in light of the Covid -19 pandemic. The project seeks to help physical retailers to be 'omni-channel' retailers and to encourage them to build closer relationships with their customer base. The approach is to encourage customer engagement and to help businesses to develop a strong digital presence through online trading platforms and effective social media engagement. The bid is for £45k of support matched by funding attached to other Council activities.
- 1.5 The project is being developed as a pilot building on other investment and delivered by the council. Delivery partners will principally be C4DI and Insight with Passion but with scope to signpost businesses to other sources of advice and training as required (Annex 1).

1.6 As the Community Renewal fund is time limited, all funds have to be spent by March 2022, and a large scale district wide bid would be beyond the scope of the funds that can be provided by Community Renewal Fund, the best chance of success is to focus on a small geographic area and specific sector. However the Council is mindful of the needs of businesses across the District and all the market towns. The proposal is that the pilot will be for Northallerton High Street but that the learning developed from the pilot will then be transferable and capable of being rolled out across the district and across a range of business sectors.

1.7 Bids will also have a greater chance of success if they have other funding attached. This Community Renewal Fund bid is therefore being matched with the value of existing planned activity funded from the Economic Development Fund.

2.0 Link to Council Priorities

2.1 This project supports the Council's priority of driving economic vitality; specifically supporting the development of Northallerton as a Vibrant Market Town and supporting the short term economic recovery and long term future sustainability of the High Street.

2.2 In addition the project supports the Councils Economic Response and Recovery Plan as a pilot Digital High Street Project.

3.0 Risk Assessment

3.1 Risk in not approving the recommendations

Risk	Implication	Prob	Imp.	Total	Preventative Action	Net Prob	Net Impact	Net total
Reputational Risk to the Council	Council may be criticised if the opportunity to utilise available investment is missed	4	4	16	Approve the Scheme	2	3	6
Response and Recovery plan not delivered	Local businesses are not assisted to recover from the effects of the pandemic resulting in job losses and business closures.	4	4	16	Approve the scheme	2	3	6

3.2 Risk in approving the recommendations

Risk	Implication	Prob	Imp.	Total	Preventative Action	Net Prob	Net Impact	Net total
The Council is unable to deliver the proposed schemes within the agreed timescales	Economic impacts and community benefits are not realised Negative publicity for the Council	3	4	12	Strong project management Effective engagement with key stakeholders from the beginning of the schemes Monitor project and spend closely	2	2	4

The risk of not agreeing with the recommendations outweighs the risk of agreeing with the recommendations. It is therefore considered acceptable to approve the recommendations.

4.0 Financial Implications

4.1 The table below shows the costs of the pilot project and associated funding.

Expenditure	2021/22
Online digital training module development	£25k
Online platform maintenance, one to one support etc.	£25k
Customer relationship training	£23k
Support for Digital Apprentices (aim of two per town per annum)	£10k
Total Expenditure	£83k
Funding	21/22
Community Renewal Fund	£45k
Planned Economic Development Fund Expenditure	£15k
Additional Restrictions Grant	£23k
Additional funding requested	
Total Funding	£83k

4.2 There are no additional financial implications for the Council from the delivery of the pilot programme because funding is intended to be secured from the Community Renewal Fund and the Additional Restrictions Grant. If this funding is not available, then the Economic Development Fund will be used to support this pilot project. Should the pilot project be successful, and the Council wishes to roll this out district wide there will be an overall annual revenue increased cost and this will be brought back to Cabinet at the appropriate time.

5.0 Legal Implications

- 5.1 Should our Community Renewal Fund bid be successful a formal offer letter and funding agreement will be issued to ensure that the grant is spent correctly, that any legal requirements, publicity and monitoring are met.

6.0 Equality/Diversity Issues

- 6.1 Equality and diversity issues have been considered however there are no issues associated with this report.

7.0 Recommendation

- 7.1 That Cabinet approves the project and the funding proposal as set out in paragraphs 4.1 and 4.2 of the report.

Mick Jewitt
Deputy Chief Executive

Background papers: Digital Lab pilot proposal

Author ref: MH

Contact: Mark Haynes
Business and Economy Project Manager
Tel: 01609 767056

Community Renewal Fund – Key Questions for Work Package/ Project Leads

Applicant Details
Work Package / Project Lead's Name: Hambleton District Council
Lead Officer Name & Position: Mark Haynes, Business & Economy Project Manager
Other Partners: See diagram at Annex 1

Part 1 – Work Package/Project Summary
1a Work Package/Project Name: Digital Lab
<p>1b What activities will take place?</p> <p>The project will provide a range of services to enable local businesses to make the most of doing business digitally. This will include:</p> <ul style="list-style-type: none"> - A range of downloadable training modules and live sessions on various aspects of doing business digitally - A range of technical services to enable an easy transition into doing businesses digitally - Sign positing and brokering of appropriate support from a pool of experts - Development of a digital community market place - 1 to 1 support - Digital apprentices
<p>1c Who will deliver the activities?</p> <p>HDC will lead overall with a focus on local business engagement building on it track record and connections. The Centre for Digital Innovation (C4DI) will be the technical lead developing modules with input from others as required. Insight with passion will provide live workshops and support sessions focused on customer relationships and adapting to the current business climate. Other partners expertise will be utilised as appropriate.</p>
<p>1d How will the activities be delivered?</p> <p>As outlined above partners will work together to promote the service to the local business community (HDC/FSB/Growth Hub). Training will be provided in the form of downloadable modules, live sessions, one to one support (C4DI/Insight with passion/Campus @Northallerton (c@n)). Technical services, the platforms and tools required to operate digitally will be hosted or provided via C4DI.</p>
<p>1e Who will be the beneficiaries of the project?</p> <p>The principle beneficiary group would be those operating in the business to consumer sphere, helping businesses to move from a physical model to a blended model by developing a strong online presence to assist with growth and/or viability. The approach determined best for this project would be to provide a concentration of support in a tight geographic area to help assess the full impact of the intervention. Early thoughts are to focus on a High Street community or a sector such as Agriculture, a key target sector for the C4DI Northallerton facility.</p>
1f Where will the activities take place?

Hambleton district, potentially focusing on one town or sector.	
1g What are the key milestones for the development and implementation of the project	
[milestone]	[date]
Internal approvals for concepts and funding	- Secured
Define the area or sector to be focused on	- May 2021
Refining the offer (training module components etc. tailored to above)	- June 2021
Develop training modules and workshop programme	- July/Aug 2021
Marketing and promotion to develop customer throughput	- Aug-Dec 2021
Delivery	- Aug 2021 onwards

Part 2 – Work Package/Project Impact
<p>2a What will be the short- and long-term benefits of the project on its beneficiaries and the wider community?</p> <p>The pandemic has seen businesses adapt in a range of ways with differing levels of success in order to keep trading. Those providing goods or services to consumers that pre-pandemic only had a physical presence have had the most adaptation to undertake. This project has the potential to help businesses or varying levels of digital sophistication to improve their online trading capability and customer service in order to grow or to secure their business viability. The focus will not only be about giving people the skills and tools to create an online presence, but also on continuing customer/audience engagement as a key tool to drive people to the digital platform.</p> <p>Short-term businesses will gain the ability to establish or improve online trading platforms. Longer term this will enable business growth. Short term there will be a greater appreciation of the benefits of trading in the physical and virtual spheres and of the skills required. With encouragement and support this will lead to more people being signposted to and taking on training leading to qualifications via c@n providing access to Level 3 – 7 courses via York College and the University of Sunderland.</p>
<p>2b How does the proposal align with local needs?</p> <p>The project aligns strongly with the Local Enterprise Partnership's 21st Century towns proposal which recognises the digital focus being applied by Hambleton and responds to key recommendations particularly under the digital first and open for business activity strands.</p>
<div style="border: 1px solid black; padding: 10px;"> <div style="display: flex; align-items: center;">  <div style="margin-left: 10px;"> <h2 style="margin: 0;">DIGITAL FIRST</h2> </div> </div> <div style="background-color: #e0f2f1; padding: 10px; margin-top: 10px;"> <div style="display: flex;"> <div style="flex: 1; padding-right: 20px;"> <p>Ensure that digital skills provision is strong throughout all the towns</p> </div> <div style="flex: 2;"> <ul style="list-style-type: none"> More local people engaged in the digital economy with benefits in terms of incomes and employment levels More local businesses using the internet to sell online – boosting incomes and productivity. Enabling local businesses to reap the benefits of new technologies and therefore improving productivity in towns. Wider use of digital apps and platforms to support community work and building the brand / identity of towns. </div> </div> </div> </div>



OPEN FOR BUSINESS

Encourage local retailers, manufacturers and craftspeople to embrace online retail

- Increase productivity in relevant sectors
- Reinforce the visitor economy by encouraging more visits
- Increase resilience of local businesses through diversification of income.

2c How does the project demonstrate innovation in service delivery?

The proposal will offer a blend of learning methods and tools to be able to meet different requirements of individuals that fit around different working patterns and levels of ability/sophistication. The tight sector/geographic focus will also lend itself to being able to determine impacts more quickly and to evaluate the potential benefits more clearly. The project will be a blend of the offers and skills that can be brought to bear from the public, private and academic sectors.

2d What outcomes will the project deliver? (see UK Community Renewal Fund Outcomes; Annex A – Project Impact Indicators).

In the short term, for the COMMUNITY RENEWAL FUND period to March 2022 it is likely that the principal outputs will be purely the no's of businesses supported and no's of people in training. Should the pilot be successful and can be expanded to a longer term project it has the potential to contribute to the following COMMUNITY RENEWAL FUND outcomes:

Outcome Indicator	Definitions	Unit of Measurement
People in education/training following support ²	<p>People who have received support and who are newly engaged in education (lifelong learning, formal education) or training activities (off-the-job/in-the-job training, vocational training, etc.) immediately upon leaving the operation.</p> <p>Education or training is defined as a structured and agreed programme of:</p> <ul style="list-style-type: none"> • lifelong learning; • formal education; and • educational and/or vocational training activities (this may include on the job and/or off the job vocational training or a combination of the approaches listed). <p>'Mandatory' training (e.g. job-search related / CV writing) and other non-vocational / non-educational support such as confidence building, life-skills and personal effectiveness support cannot be considered as 'education' or 'vocational training' (even though such activities may , of course, be useful and important support measures).</p>	Number of people
People gaining a qualification following support	<p>People who have received support and who gained a qualification following that support.</p> <p>Qualifications should be recognised by Ofqual's Regulated Qualification Framework (RQF) https://www.gov.uk/find-a-regulated-qualification</p>	Number of people
Businesses introducing new products to the market as a result of support ²	<p>A product is new to the market if there is no other product available on a market that offers the same functionality, or the design or technology that the new product uses is fundamentally different from the design or technology of already existing products. Products can be tangible or intangible (incl. services and processes).</p> <p>Support must be for a business to introduce one of the following:</p> <ul style="list-style-type: none"> • Product - when it is either at pre-launch or launched to the market • Process - when it has been introduced into the business • Service - when it has been introduced to the market 	Number of Businesses
Employment increase in supported businesses as a result of support	<p>A new, permanent, paid, full-time equivalent (FTE) job created following support. This includes both part-time and full-time jobs, which should be recorded relative to full-time equivalent (FTE). FTE should be based on the standard full-time hours of the employer.</p> <p>New means it should not have existed with that employer before the intervention.</p> <p>Permanent means it should have an intended life expectancy of at least 12 months from the point at which it is created.</p>	Number of FTEs
Jobs safeguarded as a result of support	<p>A permanent and paid job at risk prior to when support was provided, and which the support will help the business to retain. This includes sole traders and business owners.</p> <p>This includes both part-time and full-time jobs, which should be recorded relative to full-time equivalent (FTE). FTE should be based on the standard full-time hours of the employer.</p> <p>At risk is defined as being forecast to be lost within 6 months.</p>	Number of FTEs

Part 3 – Funding / Costs

3a Please provide a full breakdown of costs, including:

- Total funding requested from the UK Community Renewal Fund - £66k
- Any match funding that is secured/ or planned to be secured
HDC - £25k
- Activities/ tasks that the funding will be spent on
Content development & delivery £75k
Marketing and promotion (circa £6k)
Evaluation £10k
?? Any budget to allow for a York/Sunderland cohort

3b How has the overall budget been estimated, what has been done to test that it is accurate, how would any unexpected costs be managed?

Currently estimates based on:

- Proposal costs from C4DI Northallerton & Insight with Passion
- Minimum evaluation threshold set by COMMUNITY RENEWAL FUND guidelines

Unexpected costs would have to be met through HDC.

Part 4 – Project Applicant Experience & Capacity

4a What experience does the organisation have of delivering this type of activity?

HDC is very experienced in business engagement and direct business support.
C4DI North and Insight with passion are both experienced in delivering training content and business support.

4b Describe the resources (e.g. staff) the organisation has available now to deliver the project?

The partners involved in the project are all well resourced, stable, experienced and professional organisations that will allocate the appropriate resources required for the project to be successful.



<https://www.insightwithpassion.co.uk/about-us/our-people/>

<http://www.c4di.co.uk/the-team>

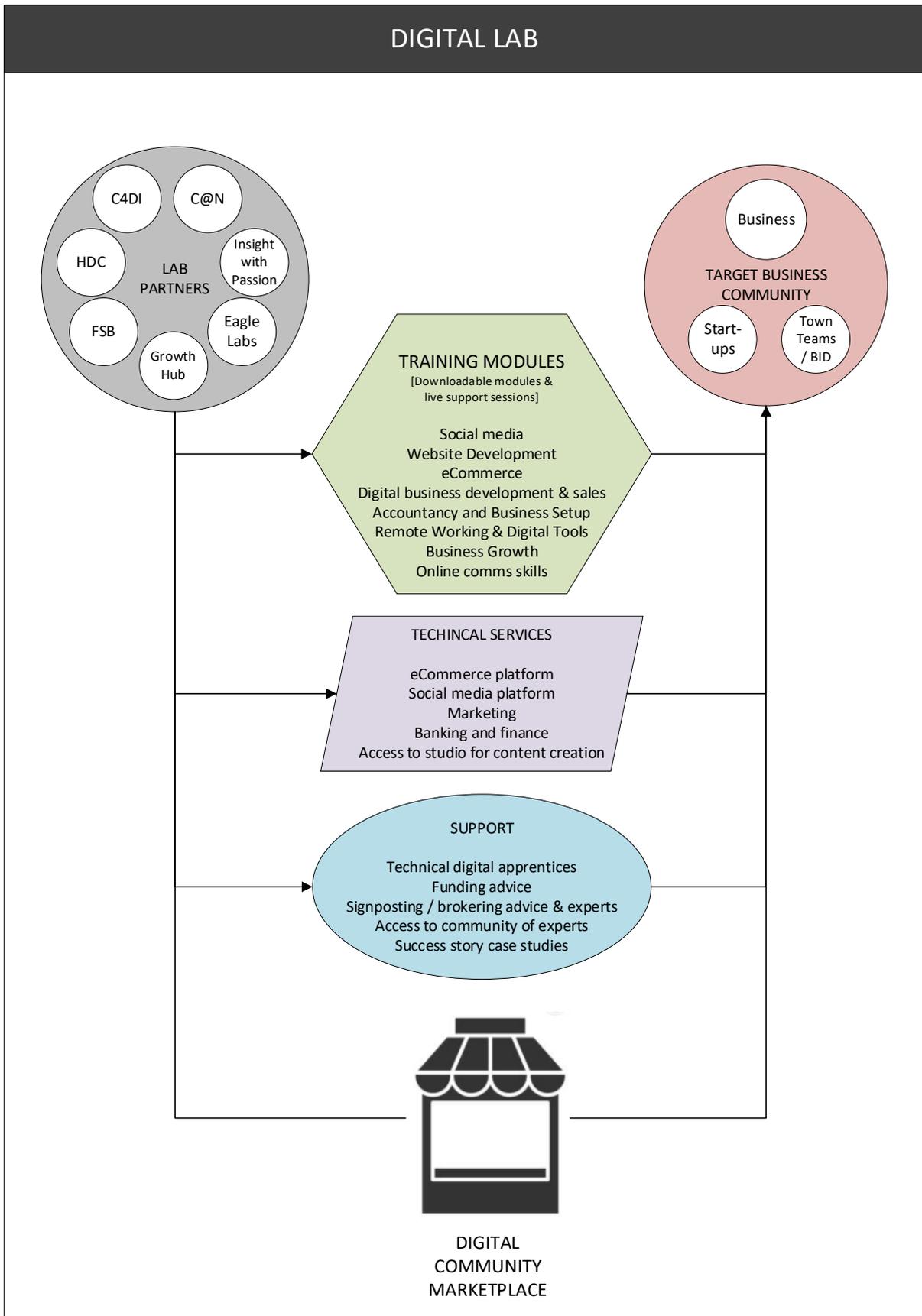
4c If the organisation will have to recruit staff or appoint contractors what plans are in place to manage the risk of delay?

The Council will utilise existing contracts, SLA's as appropriate or will use public sector procurement routes to secure support required.

4d Describe the systems and processes that will be used to ensure only costs directly related to the project will be included in grant claims.

HDC has a strong track record in delivery of projects utilising Government funds. A separate cost centre can be established to ensure only costs attributed to the project utilise COMMUNITY RENEWAL FUND investment. Evidence of defrayed expenditure including invoices and purchase ledgers can be provided to verify this.

Figure 1: Project overview



Hambleton District Council

Report To: Cabinet

Date: 8 June 2021

Subject: **Hambleton Tourism Plan**

Portfolio Holder: Economic Development and Finance
Councillor P R Wilkinson

Wards Affected: All Wards

1.0 Purpose and Background

- 1.1 This report seeks approval for the Hambleton Tourism Plan and associated resources to support its implementation.
- 1.2 In July 2020 Hambleton appointed a Tourism Advisor for 12 months to provide direct support to the Tourism sector and assist in the development of the Council's emerging Economic Response and Recovery Plan, particularly the elements in relation to tourism and supporting Vibrant Market Towns.
- 1.3 The Tourism Advisor has worked alongside the Business and Economy Team, working closely with the Vibrant Market Town's Officers and the Council's Communications Manager. A Tourism Plan has been developed to support the marketing and promotion of the District and promote Hambleton as a destination in its own right and engaging with tourism and hospitality professionals. This is attached at Annex A to the report.
- 1.4 Working relationships have been established across both the public and private sector to support tourism businesses and those associated as part of Hambleton's Economic Response and Recovery Plan. A Hambleton Tourism Forum of industry representatives has been established and had its first meeting on the 15th March 2021.
- 1.5 The current Tourism Advisor contract ends on the 2nd July and consideration has been given to how this work can be supported for the next 12 months. It is recommended that a further tourism industry expert with knowledge of the tourism industry, awareness of Hambleton and the tourism businesses in the district and an understanding of working with the public sector is appointed to focus on delivering the Tourism Plan.
- 1.6 The new appointment will continue to work with both the World of James Herriot in Thirsk and the Herriot Country Tourism Group as well as the newly established Hambleton Tourism Forum at a local level. At a strategic level the Tourism Plan is consistent with the Plans of both the York & North Yorkshire Local Enterprise Partnership and Welcome to Yorkshire.

2.0 Link to Council Priorities

2.1 The Tourism Plan supports the Council's priority of driving economic vitality; including supporting the development of Vibrant Market Towns. It also supports the short term economic recovery and long term future sustainability of the District.

3.0 Risk Assessment

3.1 Risk in not approving the recommendations

Risk	Implication	Prob	Imp.	Total	Preventative Action	Net Prob	Net Impact	Net total
Reputational Risk to the Council	Council may be criticised if the work which has been started is not taken forward	4	4	16	Approve the Plan	2	3	6

3.2 Risk in approving the recommendations

Risk	Implication	Prob	Imp.	Total	Preventative Action	Net Prob	Net Impact	Net total
The Council is unable to deliver the proposed projects within the Plan	Economic impacts and community benefits are not realised Negative publicity for the Council	3	4	12	Strong project management Effective engagement with key stakeholders Monitor closely	2	2	4

3.3 The risk of not agreeing with the recommendations outweighs the risk of agreeing with the recommendations. It is therefore considered acceptable to approve the recommendations.

4.0 Financial Implications

4.1 The cost of employing a Tourism Advisor 3 days/week for a further 12 months is £32,500. It is recommended that this is funded through the Business & Economy salary budget which is currently carrying a vacant Project Manager post.

4.2 To date there has been no specific budget identified to support the delivery of the Tourism Plan. In order to build momentum it is recommended that consideration is given to allocating a budget of £30,000 to support the delivery of the activities as set out in the Tourism Plan attached at Annex A.

4.3 It is recommended that initially in 2021/2022 this is funded through the Economic Development Fund. A review of the implementation of the Plan will take place in 6 months' time and will feed into the revenue budget setting process for future years. In parallel, the Business & Economy Team will continue to pursue opportunities to secure external funding or use recovery funding which has been allocated to the Council to support this work.

5.0 Legal Implications

5.1 Legal issues have been considered however there are no issues associated with this report.

6.0 Equality/Diversity Issues

6.1 Equality and diversity issues have been considered however there are no issues associated with this report.

7.0 Recommendation

7.1 It is recommended that:-

- (1) Cabinet approves and recommends to Council that the Hambleton Tourism Plan is approved; and
- (2) Cabinet approves the resources of £62,500 to support the implementation of the Tourism Plan as set out in paragraphs 4.1 to 4.3 of the report.

Mick Jewitt
Deputy Chief Executive

Background papers: None

Author ref: SS

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TOURISM PLAN					
Encouraging tourism in Hambleton and the associated economic benefits post Covid 19.					
Vibrant Market Towns					
<i>Outcome needed</i>	<i>Action</i>	<i>Lead Officer & Partners</i>	<i>Time Frame</i>	<i>Priority</i>	<i>Task/Projects</i>
1. Tourism Advisor providing guidance to HDC and support to local sector businesses.	1. Appoint Tourism Advisor to HDC for interim period to support development of plan and implementation.	Sam Swinbank & Nicole Patterson	July 2020 onwards	High	<ul style="list-style-type: none"> • Current 12 month contract due to come to an end • Extension to be agreed for a further 12 months as from July 2021.
2. A forum for tourism and hospitality professionals across Hambleton to come together and drive the development and growth of the sector.	1. Agree principles for group and identify key representatives – facilitate formation of the group and assist with the group becoming self-sufficient.	Tourism Advisor	Ongoing	High	<ul style="list-style-type: none"> • Quarterly meetings. Rotated Chair from the private sector representation.
	2. Sector representation in place from March 2021	Tourism Advisor	Ongoing	High	<ul style="list-style-type: none"> • Representatives from the key sectors involved in tourism: Visitor Attractions, Hotel, Bed & Breakfast, Self-Catering, Holiday Park & Lodges, Hospitality (Pub & Restaurant) & Historic Houses & Gardens, Food & Drink Sector as well as a representative for Vibrant Market Towns (Peter Cole HDC)

TOURISM PLAN

Encouraging tourism in Hambleton and the associated economic benefits post Covid 19.

Vibrant Market Towns

<i>Outcome needed</i>	<i>Action</i>	<i>Lead Officer & Partners</i>	<i>Time Frame</i>	<i>Priority</i>	<i>Task/Projects</i>
3. Established and recognised gateways to major tourist destinations (Dales and National Parks).	1. Identify key Hambleton areas that link to popular destinations (e.g. Stokesley and Thirsk as a gateway to the North York Moors National Park, Bedale to the Yorkshire Dales National Park, Easingwold to York & Howardian Hills AONB) and establish principle of the gateway with both parties.	Tourism Advisor & Vibrant Market Towns Officer	Ongoing	High	<ul style="list-style-type: none"> Tourism Advisor along with Dales/National Parks, Town Councils, Town Futures Teams, Tourism Forum and key businesses both within the gateway and the destination.
	2. Develop agreed plan to promote the gateway through having links to the destination and its attractions and providing options for the passing tourist (stopping place, additional info etc.)	Tourism Advisor & Vibrant Market Towns Officer Town Futures Teams Herriot Country Tourism Group	Ongoing	High	<ul style="list-style-type: none"> Initial meetings held with NYMNP & YDNP to progress initiatives. Links to be in place by August 2021.
4. #Discover Hambleton campaign increases visitor numbers and spend within the district.	1. Develop #Discover Hambleton campaign to spotlight attractions and businesses that Hambleton residents and visitors within driving distance (particularly aimed at Tees Valley) can access.	HDC (Tourism Advisor/Communications Manager) Local tourism and hospitality businesses, Tourism Forum,	May 2021 Launch date 18.05.21. Continued ongoing work to raise the profile and engagement	High	<ul style="list-style-type: none"> Campaign is led by HDC and local businesses will know that HDC have developed – publicly, though this will not be directly linked to the Council which allows more flexibility for businesses to

TOURISM PLAN

Encouraging tourism in Hambleton and the associated economic benefits post Covid 19.

Vibrant Market Towns

<i>Outcome needed</i>	<i>Action</i>	<i>Lead Officer & Partners</i>	<i>Time Frame</i>	<i>Priority</i>	<i>Task/Projects</i>
		Town/Parish Councils, neighbouring authority tourism, TICs and Town Teams.	with the digital platform.		<p>be promoted (council is not endorsing anyone) and for competitions etc. to be operated.</p> <ul style="list-style-type: none"> • Campaign will be mainly operated through social media platforms but will link to other forums such as Herriot webpages linked to the World of James Herriot and the Herriot Country Tourism Group. • Campaign content will be provided by local businesses in and related to the tourism/visitor economy sector. • Initial content provision to be targeted at boosting local visitor economy in line with the Governments easing of lockdown restrictions. (Identified content from DS). • Establish a series of short videos that can be used to promote the area.

TOURISM PLAN

Encouraging tourism in Hambleton and the associated economic benefits post Covid 19.

Vibrant Market Towns

<i>Outcome needed</i>	<i>Action</i>	<i>Lead Officer & Partners</i>	<i>Time Frame</i>	<i>Priority</i>	<i>Task/Projects</i>
5. Good quality, up to date information on Hambleton as a destination and gateway.	1. Improve the content for the Hambleton area and develop links and cross promotions with the Herriot Country Tourism Group and the World of James Herriot on websites and other digital platforms.	HDC (Tourism Advisor/Communications Manager) Herriot Country Tourism Group & World of James Herriot.	Ongoing	High	<ul style="list-style-type: none"> • Work on new content to populate the Hambleton pages on the Herriot Country website • Create a bank of new images, including video clips to promote Hambleton as a visitor destination
6. Make Hambleton a destination in its own right	1. Work with businesses within the tourism sector to develop a collaborative approach to provide 'A Day Out in Hambleton's Herriot Country'.	Tourism Advisor Local tourism and hospitality businesses, Tourism Forum, Herriot Country Tourism Group, Town/Parish Councils, Business Associations & TIC's.	Ongoing	Medium	<ul style="list-style-type: none"> • Identify key businesses within the tourism sector to partner with in developing this initiative • Develop cross promotional activity with key businesses within the tourism sector to raise the awareness of Hambleton and its Market Towns as a tourist destination

TOURISM PLAN

Encouraging tourism in Hambleton and the associated economic benefits post Covid 19.

Vibrant Market Towns

<i>Outcome needed</i>	<i>Action</i>	<i>Lead Officer & Partners</i>	<i>Time Frame</i>	<i>Priority</i>	<i>Task/Projects</i>
	2. Develop 'Days Out', with the Market Towns and surrounding tourism businesses	Tourism Advisor & Vibrant Market Towns Officer Local tourism and hospitality businesses, Tourism Forum, Herriot Country Tourism Group, Town/Parish Councils, Business Associations & TIC's.	Ongoing	Medium	<ul style="list-style-type: none"> Work with Herriot Country Tourism Group to promote 'Days Out' experiences across their digital platforms
	3. Develop thematic visitor experiences with the tourism business e.g. Hambleton's Herriot Country for Food & Drink, Hambleton's Herriot Country for Heritage, Hambleton's Herriot Country for Outdoors, Hambleton's Herriot Country for independent Shopping	Tourism Advisor Local tourism and hospitality businesses, Tourism Forum, Herriot Country Tourism Group, Town/Parish Councils, Business Associations & TIC's.	Ongoing	Medium	<ul style="list-style-type: none"> Produce series of thematic experiences to raise the profile of Hambleton as a visitor destination. Develop a campaign to promote the thematic experiences via #DiscoverHambleton

TOURISM PLAN					
Encouraging tourism in Hambleton and the associated economic benefits post Covid 19.					
Vibrant Market Towns					
<i>Outcome needed</i>	<i>Action</i>	<i>Lead Officer & Partners</i>	<i>Time Frame</i>	<i>Priority</i>	<i>Task/Projects</i>
	4. Identify key markets to support Hambleton's tourism economy e.g. Cycling – Cycle Friendly Market Towns.	Tourism Advisor & Vibrant Market Towns Officer Local tourism and hospitality businesses, Tourism Forum, Herriot Country Tourism Group, Town/Parish Councils, Business Associations & TIC's.	Ongoing	High	<ul style="list-style-type: none"> • Develop a Cycle Charter to support businesses to become more cycle friendly • Work with Market Towns to produce a cycle toolkit • Put on workshops for those businesses that want to become more cycle friendly
7. Hambleton viewed as a developing and welcoming destination for the coach operators and group organisers.	1. Undertake initial conversations with coach operators, group organisers, local businesses and Town councils to understand appetite and opportunity for Hambleton as a coach friendly destination.	Tourism Advisor Coach Forum (Herriot Country Tourism Group, World of James Herriot, Solberge Hall, Confederation of Passenger Transport UK (CPT) along with key businesses/attractions)	Ongoing project	High	<ul style="list-style-type: none"> • Facilitated from Nov.2020. Due to Covid restrictions familiarisation weekend postponed in March 2021. Planned date now Autumn 2021.
	2. Support local attractions and businesses to establish a Coach Forum to develop plans and materials to encourage the coach market and groups to the district.	Tourism Advisor Coach Forum (Herriot Country Tourism Group, World of James Herriot, Solberge Hall, Confederation of	Ongoing project	High	<ul style="list-style-type: none"> • Create itineraries to promote to Coach Operators and Group Organisers • Work with Herriot Country Tourism Group to produce promotional material

TOURISM PLAN

Encouraging tourism in Hambleton and the associated economic benefits post Covid 19.

Vibrant Market Towns

<i>Outcome needed</i>	<i>Action</i>	<i>Lead Officer & Partners</i>	<i>Time Frame</i>	<i>Priority</i>	<i>Task/Projects</i>
		Passenger Transport UK (CPT) along with key businesses/attractions)			across all platforms to promote to this key market <ul style="list-style-type: none"> • Support and work with World of James Herriot at key exhibitions promoting to this key market
	3. Work with the Coach Forum to deliver a familiarisation weekend, hosted by Solberge Hall, to showcase the local area and to this key market.	Tourism Advisor	Ongoing project	High	<ul style="list-style-type: none"> • Support tourism businesses and Market Towns to maximise the opportunities around the familiarisation event
8. Hambleton is recognised as a destination for Food and Drink.	1. Campaign to promote food and drink offer in Hambleton, link to # Discover Hambleton.	HDC (Tourism Advisor/Communications Manager/VMT Officer), Hambleton Tourism Forum, Herriot Country Tourism Group, Food and Drink sector in Hambleton and Deliciously Yorkshire. March 2021 onwards.	Ongoing project	High	<ul style="list-style-type: none"> • Opportunities to link into Visit Britain/Visit England Food and Drink campaigns. • Get local food producers/retailers on board to promote buying local and the benefits this brings (provenance, supporting local economy, reducing carbon footprint, seasonality of produce etc.) • Encourage local hospitality and attractions to utilise local producers (supply chain project)

TOURISM PLAN

Encouraging tourism in Hambleton and the associated economic benefits post Covid 19.

Vibrant Market Towns

<i>Outcome needed</i>	<i>Action</i>	<i>Lead Officer & Partners</i>	<i>Time Frame</i>	<i>Priority</i>	<i>Task/Projects</i>
	2. Promote food and drink as part of the destination offer – link into farmer’s market, food festivals and developing food & drink hubs within the Market Towns.	Tourism Advisor & Vibrant Market Towns Officer Herriot Country Tourism Group	Ongoing project	Medium	<ul style="list-style-type: none"> • Work with the Market Towns in maximising the opportunities around their food and drink offer
	3. Flavours of Herriot Country.	Tourism Advisor & Vibrant Market Towns Officer, Hambleton Tourism Forum, Herriot Country Tourism Group, Food and Drink sector in Hambleton and Deliciously Yorkshire.	Spring 2022	Medium	<ul style="list-style-type: none"> • Work with Flavours of Hambleton to promote the event • Promote the event to the food and drink sector in Hambleton and encourage businesses to take part in the awards

Hambleton District Council

Report To: Cabinet

Dates: 8 June 2021

Subject: **Environment and Leisure and Communities Directorates Enforcement Policy**

Portfolio Holder Environmental Health, Waste and Street Scene
Councillor S Watson

Leisure
Councillor P R Thompson

Wards Affected: All Wards

1.0 Purpose and Background

1.1 The purpose of this report is to present the updated Environment and Leisure and Communities Directorates Enforcement Policy (Annex A). The Directorates must have an enforcement policy to ensure that they act fairly and consistently when taking enforcement action and this approach is to be agreed by Council.

1.2 Cabinet approved the previous policies at its meetings on 6th November 2018 and 14th January 2020. The Policy has now been further reviewed and updated. It retains the basis of its original format, an overarching policy with annexes for specific function areas. The updates/changes are as follows:

- Further consolidation of the general enforcement actions into the overarching policy to avoid repetition in the annexes.
- Addition of annexes for Contaminated Land and Covid 19.
- Updates to the private sector housing annex to reflect new responsibilities.

1.3 The Policy states the priorities of the Directorates when considering enforcement action and establishes a framework for enforcement decisions. This will ensure that authorised and appointed officers exercise their delegated powers in an appropriate manner and in accordance with the Policy. Any failure to follow the standards will be acted upon and notified to Members where appropriate.

1.4 The Directorates are committed to the principles of the Regulators' Code to ensure a graduated and fair approach to enforcement that supports businesses and protects the environment and public health and safety and animal welfare.

2.0 Link to Council Priorities

2.1 Ensuring that the Directorates have an appropriate and consistently implemented Enforcement Policy contributes to the delivery of three of the Council's key priorities: Enhancing Health and Well Being, Driving Economic Vitality and Providing a Special Place to Live by protecting public health and safety, the environment, animal welfare and ensuring a fair trading environment.

3.0 Risk Assessment

3.1 There are no risks in approving the policy.

3.2 The key risk is in not approving the recommendation as shown below:

Risk	Implication	Prob*	Imp*	Total	Preventative action	Net Prob	Net Imp	Net Total
Absence of an Enforcement Policy.	The Directorates do not have an approach and framework on which to base their enforcement actions and decisions, which could lead to inconsistencies and may prejudice enforcement actions.	3	4	12	That the Enforcement Policy is approved by Cabinet.	1	2	2

Prob = Probability, Imp = Impact, Score range is Low = 1, High = 5

3.4 Overall the risk of agreeing with the recommendation outweighs the risk of not agreeing the recommendation and is considered acceptable as the Authority has statutory duties to enforce a wide range of legislation and requires a framework and approach in which to do so.

4.0 Financial Implications

4.1 There are no financial implications in approving the recommendation.

5.0 Legal Implications

5.1 Failure to abide by the principles of good enforcement set out in the Regulators' Code (April 2014) which is issued under the Legislative and Regulatory Reform Act 2006, the Code for Crown Prosecutors and the Regulatory Enforcement Sanctions Act 2008, may prejudice any enforcement action considered or taken by the Directorates.

6.0 Equality/Diversity Issues

6.1 Equality and Diversity issues have been considered and there are no implications associated with this report; however, equality and diversity matters are considered as part of the Policy including the approach to support vulnerable individuals.

7.0 Recommendation

7.1 That Cabinet approves and recommends to Council that the Environment and Leisure and Communities Directorates Enforcement Policy is adopted.

Paul Staines
Director of Environment

Background papers: Regulators' Code
https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/300126/14-705-regulators-code.pdf

Legislative and Regulatory Reform Act 2006
<http://www.legislation.gov.uk/ukpga/2006/51/contents>

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Environment and Leisure & Communities Directorates Enforcement Policy





Document	Environment and Leisure & Communities Directorate Enforcement Policy
Author	Director of Environment
Approval Date V1	December 2018
Policy Reviewed	December 2019
Approval Date V2	February 2020
Policy Reviewed	May 2021
Policy Approved V3	
Review Date	May 2023

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■ | Introduction

This Enforcement Policy applies to the functions of the Environmental Health and Waste and Street Scene Services in the Environment Directorate and the Leisure & Communities Directorate. It details the overall approach to enforcement in accordance with relevant legislation, statutory codes of practice and other guidance.

The primary responsibilities of the services are the enforcement of health and environmental protection laws including those related to fly tipping, littering, pollution control, food hygiene and safety, the safety of private water supplies, workplace health and safety, housing standards, public health, nuisance, the prevention and control of infectious diseases and; licensing for the purposes of animal welfare and the safety of caravan sites; and anti-social behaviour.

The enforcement options relating to individual regularity functions are detailed in separate annexes to this policy where there are specific enforcement actions available; all general enforcement options are considered in the overarching policy. This policy has been prepared in accordance with relevant legislation and guidance and in particular the Regulators' Code. The policy has received Cabinet approval and will be reviewed at least every two years or at any time a significant change to the policy is required.

■ | Enforcement

Enforcement is defined as including any advice, inspection, action, instruction or warning, simple caution, prosecution (or other types of action, for example obtaining a warrant) taken in relation to a person or organisation that is or is believed to be acting unlawfully.

The Directorates will take a graduated approach to enforcement of legislation where appropriate. All person(s) and companies will be encouraged to understand the nature and extent of their responsibilities and comply voluntarily. The Directorates will use a range of investigation methods including the use of CCTV and other recording devices. The Directorates will pursue prosecution where circumstances indicate a significant risk and/or crime, and/or where formal action is in the public interest.

The Directorates recognises that each enforcement case is unique and may at times warrant deviation from this Enforcement Policy. In such cases this will be done with the approval of the Director of Environment and/or the Director of Leisure and Communities and/or the Director of Legal and Governance.

When considering whether to initiate enforcement action the Directorates will take account of the following:

- Code for Crown Prosecutors
- Regulators' Code
- Police and Criminal Evidence Act 1984 (and associated Code of Practice)
- Criminal Procedure and Investigations Act 1996 (CPIA)

- Regulation of Investigatory Powers Act 2000 (RIPA)
- Regulatory Enforcement and Sanctions Act 2008
- Legislative and Regulatory Reform Act 2006
- Powers of Entry Code of Practice
- Human Rights Act 1998
- General Data Protection Regulations
- Other service specific codes and/or guidance

■ Principles of Enforcement

The Directorates will ensure that their approach to regulation is underpinned by the principles of enforcement as follows:

(i) Proportionality in the application of the law and in securing compliance. The Directorates will ensure that any action taken to achieve compliance or bring individuals/companies to account for non-compliance will be proportionate to risks and/or to the seriousness of the breach.

(ii) Consistency of approach and application. The Directorates will carry out activities in a fair, equitable and consistent manner. In each case officers will consider a number of variables including:

- The degree of risk
- The attitude and competence of management business operator/duty holder/individual
- The previous history of the business operator/duty holder/individual
- The seriousness of the breach.

The Directorates will ensure that procedures are in place to promote and ensure consistency between officers, other authorities and enforcement bodies.

(iii) Transparency on the operation of the services so that those whose activities are regulated by the Directorates know what they may expect from each service. Services will assist and advise duty holders to understand and fulfil their responsibilities and provide information on the Directorates role as regulators.

Individuals or businesses have a right to query or appeal against enforcement action and fee charges where there are statutory appeal mechanisms. Details of the mechanisms for query or appeal will be provided where appropriate whether the appeal is made to the council or other bodies.

(iv) Targeting of enforcement action. The services will direct their enforcement and regulatory effort primarily towards those whose activities give rise to the most serious risk or where the risks are less well controlled. Action will be focused on those directly responsible for any breach and who are best placed to control it. Enforcement action will target the issues that most affect the residents and the environment in Hambleton and therefore will meet all the council's priorities.

■ | Authorisation of Officers

The council has a scheme of delegation to individual officers. This delegation is contained in the council's constitution which is available upon request or online at: <https://democracy.hambleton.gov.uk/ieListDocuments.aspx?CId=237&MId=668&Ver=4&Info=1>

Only officers who are competent by qualification training and/or experience in accordance with specific legislation/Codes of Practice/statutory guidance will be authorised/appointed to take enforcement action.

■ | Offences and Penalties

Alternatives to prosecution such as fixed penalty notices or simple cautions will always be considered where the legislation allows. The courts will impose appropriate sentence/s upon conviction in accordance with provisions detailed in legislation and sentencing guidelines. The alleged offences and potential penalties will be made clear to prospective defendants throughout the investigation.

■ | Investigation with other Agencies

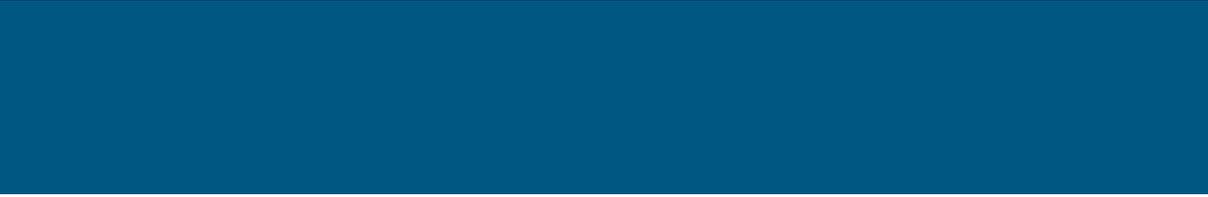
Where an enforcement objective is shared with another agency, the services will undertake joint enforcement activity to minimise any unnecessary duplication and delay. Joint working may be undertaken with agencies including local authorities, North Yorkshire Police, the Food Standards Agency, the Health and Safety Executive, the Environment Agency, and any other relevant agency as appropriate; this includes the sharing of information.

■ | Equality and Diversity

The Directorates will ensure that decisions are not influenced by the gender, disability, religion or political belief, language, ethnicity or sexual preferences of offenders, victims, or witnesses. The Council has an Equality and Diversity Policy and Procedure and provides mandatory Equality and Diversity training for officers.

Translators will be provided for interviews/meetings where the interviewee's first language is not English, and consideration will be given to the provision of correspondence in other languages.

Officers will carry out visits and investigatory activities outside normal office hours when it is deemed most appropriate taking into consideration the operating times of the business and the activities been investigated.



When dealing with juveniles or any vulnerable persons (for example due to learning difficulties, mental illness, or any other factor), due regard will be taken, and support will be provided which may involve engaging in a multi-agency approach. However, enforcement action will still be taken where deemed appropriate.

■ | Consultation and Review

The Directorates will consult and inform stakeholders of any changes to legislation and the implications of those changes. The Directorates will provide the mechanisms for those whose activities are regulated by the council to comment on the service they have received and/ or the actions taken by the council. The council will act upon any comments or complaints about the services or the conduct of its officers in an appropriate manner and in accordance with the policies of the council. Details of the council's complaint procedure can be found at: <https://www.hambleton.gov.uk/customer-services-complaints/complaints-procedure?documentId=6&categoryId=20004>

This policy has been prepared in accordance with relevant legislation and guidance and in particular the Regulators' Code. The policy has received Cabinet approval and will be reviewed at least every three years or at any time a significant change to the policy is required.

■ | Powers of Entry

When exercising their statutory powers officers will have regard to specific legislation and codes of practice including:

- Police and Criminal Evidence Act 1984 (and associated Code of Practice)
- Regulation of Investigatory Powers Act 2000 (RIPA)
- Powers of Entry Code of Practice
- Food Law Code of Practice
- Human Rights Act 1998.

■ | No Action/Informal Action

In all cases unless otherwise stipulated in the annexes to this policy, enforcement options shall not be considered where there is no risk to public health or the environment from the regulated activities.

Informal action may include advice, verbal warning, written information and inspection reports and joint agency visits and will be considered when:

- The circumstances do not warrant formal action as the act or omission is relatively minor, including minor non-compliance with a licence condition.
- From the individuals/businesses' past history it can be reasonably expected that informal action will achieve compliance.
- Confidence in the management practices is high.

- The consequence of non-compliance will not pose a significant risk to those affected by the activities of the individual/business.
- It is expected that informal action will achieve compliance.

■ | Revisits

Revisits to premises/properties will be made to check compliance with the relevant legislation where contraventions have been previously identified and will be carried out in the following circumstances including:

- To check compliance with statutory notices.
- To monitor compliance following inspections and other interventions.
- Where there are contraventions which may lead to risks to public health and/or safety.
- Where business operators/responsible persons/duty holders etc. have been required to provide documented procedures or similar for assessment.

The same officer who undertook the original inspection/intervention will wherever practicable undertake the revisit/s.

■ | Simple Cautions

Simple Cautions can be used in relation to all functions considered in the annexes to this policy and will be used under the following circumstances:

- To deal quickly and simply with less serious offences.
- To divert offenders where appropriate from appearing in criminal courts; and
- To reduce the likelihood of re-offending.
- Simple cautions are issued in accordance with the Ministry of Justice – Simple Cautions for Adult Offenders:

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/708595/cautions-guidance-2015.pdf Home Office Circular 30/2005

■ | Prosecution

Prosecutions may be taken in relation to all the functions considered in the annexes to this policy under one or more of the following circumstances including:

- The offence is serious.
- There is a poor history of compliance.
- There has been a repetition of a breach that was subject to a simple caution.
- False information has been supplied wilfully, or there has been intent to deceive, in relation to a matter which gives rise to significant risk.
- Officers have been intentionally obstructed in the lawful course of their duties.
- There is a failure to comply with the requirements of a notice and there has been no appeal against the terms of the notice; or the appeal made has not been upheld.

- Prosecution is regarded as a more appropriate and effective remedy than works in default alone.
- A Fixed Penalty Notice has not been accepted.
- Following seizure and/or detention.

■ | Obstruction of Officers

In any circumstances where in the course of their duties an officer is obstructed the Directorates will consider the instigation of formal action against the individual/organisation. Obstruction may include:

- Aggressive/inappropriate behaviour.
- Wilfully withholding or refusing to provide information.
- Knowingly providing false information.
- Preventing entry to premises/property.

■ | Works in Default

In circumstances where the Directorates have stipulated works to be carried out, for example by serving a legal notice and the requirements of the notice are not met, under certain regulations the Directorates are empowered to carry out the required works and recover costs. Works in default will generally be carried out in the following circumstances including:

- Where all opportunities for appeal against the notice have expired or an appeal has not been upheld.
- Where work in default is considered as being a more appropriate or effective remedy than prosecution or where a successful prosecution has already been taken but the problem remains. The individual/organisation will be given reasonable notice of the intention to carry out the works in default.
- Where the offence involves a failure either in full or in part with the requirements of a statutory notice.
- The person served with a statutory notice starts work but then does not make satisfactory progress in accordance with stipulated timescales.
- Following inspection, the works carried out are not suitable to ensure compliance with the notice.
- There is an ongoing risk to health or safety posed by continued non-compliance with the notice.
- The Directorates may also agree to carry out work in default on behalf of the person responsible where a written request and an undertaking to pay has been received from the individual.

Other factors that will also be considered include:

- The urgency to rectify the nuisance/public health hazard.
- Where known, the wishes of the person responsible.
- Where the evidence available indicates a realistic prospect of recovering its reasonable costs.

Works in Default can be carried out with or without agreement of the individual/organisation responsible however in most circumstances every effort will be made to gain agreement.

The cost of the works will be recovered by placing a charge on the property or through civil debt recovery where provided for by legislation.

■ | Seizure and Detention

Certain legislation enables authorised officers to detain and/or seize goods and/or equipment and/or documents. This may take place when gathering evidence; removing unsafe food from the food chain; removing equipment that poses an imminent health and/or safety risk; and removing sound equipment that is being used to cause a statutory nuisance.

■ | Empty Properties/None Trading Businesses

The Environmental Health Service will offer advice and assistance to empty property owners to bring particularly long-term empty properties back into use. Enforcement action may be taken to prevent empty properties becoming a nuisance to surrounding properties and to secure properties that are open for access to prevent unauthorised entry.

Enforcement action will be considered against individuals and organisations that are no longer involved in a particular activity and/or have ceased trading where there is evidence to show that offences have been committed.

■ | Cost Recovery

Some offences may be discharged by payment of a Fixed Penalty Notice. This gives the offender an opportunity to avoid prosecution by paying a fine. Notices are only issued where:

- there is enough evidence to support a prosecution,
- the officer believes that it will prevent repeat offending, and
- it is in the public interest to do so.

Non-payment of Fixed Penalty Notices may be pursued through the courts.

Relevant guidance will be followed when issuing Fixed Penalty Notices to juveniles with the offender's age and the circumstances of the offence being taken into account. Notices will not be served on people who at the time are suffering from any vulnerability that could impair their understanding of the situation.

Where legislation allows the Directorates will seek to recover costs in relation to the regulated activities and where there has been non-compliance.

■ Fees and Charges

The Directorates will apply statutory fees where available; and where locally set fees and charges are applied these will be calculated using officer time, support, and other procedural costs. Guidance will be followed when available.

In certain circumstances the Directorates will produce a Statement of Principles relating to the fee charging regime of a particular service/function. These statements will be published on the council's website.

Fees will not be applied for housing enforcement action taken against owner occupiers.

Where the appropriate fee is not paid a license will not be issued or if issued will be revoked.

All Fees and Charges of Council are published on the council's website at:
<https://www.hambleton.gov.uk/downloads/download/23/fees-and-charges>

In some cases, the Directorates will apply a charge for selected advisory services. These charges are available at the web link above.

■ Primary Legislation

Primary Legislation includes:

European (Withdrawal) Act 2018 (for saving EU derived domestic legislation)

Public Health (Control of Disease) Act 1984

Water Industry Act 1999

Food Safety Act 1990

Health and Safety at Work etc. Act 1974

Environmental Protection Act 1990

Environment Act 1995

Energy Act 2011

Housing Act 2004

Housing and Planning Act 2016

Animal Welfare Act 2006

Caravan Sites and Control of Development Act 1960

Mobile Homes Act 2013

Clean Neighbourhoods and Environment Act 2005

Refuse Disposal (Amenity) Act 1978

Control of Pollution (Amendment) Act 1989

Anti-social Behaviour Act 2003

Anti-social Behaviour, Crime and Policing Act 2014

Licensing Act 2003

Health Act 2006

Annexes

Animal Welfare Licensing

Document	Animal Welfare Licensing
Author	Vikki Flowers
Review Date	May 2023

Animal Welfare	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
Statutory Action	<p>Formal action will be initiated in circumstances including where:</p> <ul style="list-style-type: none"> • There is a contravention of a relevant statutory provision. • The license conditions are not met. • There is a risk or potential risk to animal welfare and/or public health. • A licensable activity is operating without a license.
Refusal of a license	<p>Licence applications can be refused on the grounds specified in the relevant legislation and the general criteria used for considering this action include:</p> <ul style="list-style-type: none"> • The licence conditions will not be met. • The appropriate fee has not been paid. • The inspection by an officer and/or an appointed veterinarian (as appropriate) of the premises/business has identified non-compliance with the licence conditions. • The applicant is not a suitable person and/or has been previously disqualified under any of the relevant legislation and/or has been convicted of an offence of any relevant legislation. • There will be a detrimental effect to the public interest on the grounds of safety, nuisance or similar. • Planning permission has not been granted or has been refused for the premises. • A zoo license will not be granted if the continuance of the zoo would injuriously affect the health and safety of persons living in the neighbourhood or seriously affect the preservation of law and order or conservation measures are not in place.

<p>Suspension, variation, alteration, or revocation of a license</p>	<p>Licenses can be suspended, varied, or revoked on the grounds specified in the relevant legislation and the general criteria used for considering these actions include:</p> <ul style="list-style-type: none"> • Licence condition/s are not being met. • There is a contravention of a relevant statutory provision. • Information supplied by the licence holder is false or misleading. • It is necessary to protect the welfare of the animal. • Legal action is being taken or considered. <p>Variation will generally be considered when adjustments need to be made to the licence or to the premises/animals referred to in the license.</p> <p>Alterations to zoo licences may require a section of the zoo where a licence condition is not being met to be closed to the public. Suspension will generally be considered when the operator fails to meet administrative conditions or provide information when requested.</p> <p>Revocation will be considered when poor standards of welfare are identified or where it would be otherwise beneficial to the welfare of the animals to be removed from the activity.</p> <p>If it is necessary to protect the animal welfare, immediate action will be taken which will be specified in any notice to vary, suspend, or revoke a licence.</p> <p>Revocations for licences granted in accordance with the Dangerous Wild Animal 1976 will not include those conditions specified in the Act.</p> <p>The power to revoke a licence lies with the Council's Licensing and Appeals Hearings Panel.</p>
<p>Zoo Directions</p>	<p>Zoo directions will be made when license condition/s are not met.</p> <p>The direction may stipulate that the zoo or part of the zoo is closed to the public for a period time when steps are being taken to ensure the licence condition/s are met.</p> <p>Zoo directions maybe varied including increasing the time period for compliance.</p>

<p>Zoo Closure Direction</p>	<p>A zoo closure direction will be made when:</p> <ul style="list-style-type: none"> • A licence condition giving effect to any conservation measure which has been stipulated in a direction and has not been met within the time period specified. • The zoo licence holder cannot be found after reasonable enquiries have been made. • The zoo no longer opens on seven or more days in a twelve-month period and it will not be opening on seven or more days in any future twelve- month period. <p>A zoo closure direction may be made when:</p> <ul style="list-style-type: none"> • A licence condition other than one giving effect to any conservation measure which has been stipulated in a direction and has not been met within the time period specified. • Reasonable requirements relating to the premises or conduct of the zoo which have been notified to the licence holder following any inspection are not complied within a reasonable period of time. • The zoo has been conducted in a disorderly manner or that a nuisance has been caused, or there has been a breach of any condition of the licence. • The licence holder has been convicted of an offence referred to in section 4(4) Zoo Licensing Act 1981 or a keeper at the zoo, in the knowledge of the licence holder, has been so convicted. <p>An unlicensed zoo will be closed when:</p> <ul style="list-style-type: none"> • The operator cannot be found. • Having given the operator at least 35 days' notice that a closure direction will be made and no notice of intention to apply for a licence has been made. • An application for a licence has not been made within three months of the notice of intention to apply for licence being made. <p>When a zoo closure direction is made, the zoo's licence is automatically revoked. Therefore, any decision to make a zoo closure order would be taken by the Council's Licensing and Appeals Hearings Panel.</p>
<p>Directions applicable to permanently closed zoos</p>	<p>Zoo directions can be made following the permanent closure of zoo to allow for arrangements to be made to ensure the welfare of the animals and for the disposal of animals if required when the operator's plans for such arrangements are not made and carried out.</p>

Prosecution	<p>Prosecutions may be taken under one or more of the following specific circumstances and those listed in the main policy including:</p> <ul style="list-style-type: none"> • The licence conditions are contravened or not complied with. • An animal has been allowed to suffer unnecessarily. • A poison has been administered to an animal. • The welfare needs of animal have not been met. • Operating a licensable activity without a licence. • Failing to comply with a zoo direction and/or zoo closure direction.
Seizure of Animals	<p>Under section 4 of the Dangerous Wild Animals Act 1976, the Local Authority has the power to seize and dispose of animals without compensation where a person is keeping a dangerous wild animal without a licence or does not comply with licence conditions. In addition, the Local Authority may recover all the costs incurred in this activity.</p>

Caravans and other Licensable Sites

Document	Caravans and other licensable sites
Author	Vikki Flowers
Review Date	May 2023

Caravans and other licensable sites	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
Informal action This may take the form of: Advice; Verbal warning; Written information; Inspection reports	If a non-licensed site can be licensed, the council will work with the site owner to ensure an application is submitted within 28 days. For non-licensed sites or sites which no-longer have a valid licence or planning permission, a referral shall be made to the planning enforcement officer and joint action considered.
Compliance Notices (relevant protected sites)	A breach of license condition/s which pose a significant risk. Persistent breaches of license conditions. An informal approach has not achieved the desired result. A safety critical or public health issue exists.
Emergency Action (relevant protected sites)	The occupier is failing or has failed to comply with condition/s of the site license and there is an imminent risk of serious harm to the health or safety of any person who is or could be on the land.

Communities Enforcement Options

Document	Communities
Author	Gina Allen
Review Date	May 2023

Hambleton District Council's Communities Team include a community safety function which is responsible for co-ordinating multi-agency responses to reducing, preventing, and detecting crime, disorder, and anti-social behaviour across the Hambleton area. The following options will be considered when dealing with crime, disorder, and anti-social behaviour:

Reducing and Preventing Crime, Disorder and Anti-Social Behaviour	
No Action	Enforcement options shall not be considered where there is no evidence available to identify the likely perpetrator.
Informal action	Where it can be reasonably expected that informal action will achieve compliance, this action may take the form of: <ul style="list-style-type: none"> • Advice • Verbal warning • Written information • Joint agency visits • Acceptable Behaviour Contracts • Safety Agreements.
Formal Action	In conjunction with partners working to reduce crime, disorder and antisocial behaviour, the Communities Team will support formal action by any agency which may include tenancy enforcement action, multi-agency response protocols, and court action. The Communities Team will directly take formal action against individuals who continue to cause issues in the community and who have evidenced that informal action has not achieved compliance. The following action may be undertaken: <ul style="list-style-type: none"> • Criminal Behaviour Order • Civil Injunction • Closure Power • Community Protection Notice.

The Communities Team will consider a Public Spaces Protection Order to reduce and prevent anti-social behaviour in a given location. The Public Spaces Protection Order can be used to protect the public from anti-social behaviour that is having, or likely to have, a detrimental effect on the quality of life of those in the locality, where the effect (or likely effect) of the activities is or is likely to be persistent or continuing, is or is likely to be unreasonable and the restrictions within the notice are justified.

Public Spaces Protection Order Enforcement Actions	
No Action	Enforcement options shall not be considered where there is no evidence available to identify the likely perpetrator.
Informal action	Discretion may be used in extenuating circumstances and may take the form of educational advice, verbal warning, or other appropriate action.
Fixed Penalty Notices	<p>It is an offence for a person without reasonable excuse ; (a) to do anything that the person is prohibited from doing by a public spaces protection order, or (b) to fail to comply with a requirement to which the person is subject under a public spaces protection order.</p> <p>Fixed Penalty Notices will be issued to offenders who have breached the restrictions covered by the Public Space Protection Order within a six-month period of having received educational advice</p> <p>A person guilty of breaching a Public Spaces Protection Order is liable on summary conviction to a fine not exceeding level 3 on the standard scale, however, in enforcing a Public Spaces Protection Order, the council will endeavour to give the offender an opportunity to avoid prosecution by the payment of a Fixed Penalty Notice if appropriate.</p> <p>The issuing of Fixed Penalty Notices may be undertaken by a third party with authorisation and will be considered in the following circumstances. where the offence has not been committed by the offender before, and where there is sufficient evidence to prove the case. Fixed Penalty Notices are not appropriate with repeat offenders and the council will seek to prosecute them through the court system.</p>
Prosecution	<p>Prosecutions will be considered under any of the following circumstances:</p> <ul style="list-style-type: none"> • There has been a repetition of breaching the Public Spaces Protection Order within the previous 6 months period. • False information has been supplied wilfully, or there has been an intent to deceive. • Officers have been intentionally obstructed in the lawful course of their duties. • A Fixed Penalty Notice has not been accepted. • A Fixed Penalty Notice has not been paid within the appropriate timescales.

Contaminated Land

Document	Contaminated Land
Author	Peter Crass
Review Date	May 2023

Part 2A of the Environmental Protection Act 1990 established a legal framework for the identification and remediation of contaminated land in England and local authorities are designated as the responsible enforcing authority for contaminated land which is not designated as a 'special site' Special sites are the remit of the Environment Agency. The key responsibilities of the enforcing authority are:

- to establish who should bear responsibility for the remediation of the land
- to decide, after consultation, what remediation is required
- ensure that such remediation takes place, and appropriate waste disposal mechanisms are used.
- to record certain prescribed regulatory actions undertaken on a public register.

Contaminated Land	Action (s) to be considered in the event of non-compliance of statutory requirements relating to Contaminated Land legislation.
Informal action	The council will seek to encourage voluntary remediation whenever possible and in cases where this approach is favoured by a responsible person then the council will oversee the works to ensure that they are carried out properly by professionally qualified and experienced persons. If the responsible person wants to remediate land voluntarily then the council will not necessarily make a formal determination, provided the remediation happens to an appropriate standard and timescale.
Formal Action	If the responsible person fails to carry out the remediation as agreed, then the Council may make a determination at any time.
Warning Letters	Where a pollution incident has deemed to have occurred, the operator will be given a written warning and requested to address the contravention. The number of warnings given to the individual/operator will vary depending on the seriousness of the situation and the decision to prosecute can be made at any time, having regard to the risk rating and history of non-compliance.
Information Notice	An Information Request Notice may be served on an individual/operator or any other person to obtain information relevant to enable the enforcement of the Environmental Protection Act 1990 and other related legislation.

<p>Enforcement Notice</p>	<p>An enforcement notice will be served when:</p> <ul style="list-style-type: none"> • An individual/operator has contravened, is contravening or likely to have contravened the requirements of the legislation, or; • If an incident or accident significantly affecting the environment has occurred as the result of the activities of an individual, operation or a regulated facility.
<p>Suspension Notice</p>	<p>A suspension notice will be served when the operation of an individual/ installation involves a risk of serious pollution.</p> <p>A suspension notice can be served in full on the entire regulated facility or in part, known as a 'partial suspension notice', whether or not the operator has breached a permit condition.</p> <p>The suspension notice ceases to authorise the operation of either the entire regulated facility or, in the case of a partial suspension notice, those activities specified in the notice.</p>

■ I Covid-19

Document	Covid-19
Author	Vikki Flowers
Review Date	As required

Covid 19	Environmental Health service response to Coronavirus restriction legislation
Enforcement action	<p>The Environmental Health Service will take a co-ordinated approach to enforcement working with Public Health and Trading Standards at North Yorkshire County Council and North Yorkshire Police.</p> <p>The Environmental Health Service will enforce the regulations using a graduated and supportive approach to business operators in accordance with this policy.</p> <p>Advice and guidance will be provided to business operators in response to legislative changes and updated guidance.</p> <p>Visits will be made to catering/hospitality/licensed premises to monitor compliance with the applicable legislation and advice will be offered when non-compliance is identified.</p> <p>Enforcement action (formal notices and/or fixed penalty notices) will be taken where serious and/or repeated contraventions are identified.</p>

Environmental Permitting

Document	Environmental Permitting
Author	Vikki Flowers
Review Date	May 2023

Environmental Permitting	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
Warning Letters	<p>Where a permit condition is contravened, the operator maybe given a written warning to address the contravention.</p> <p>The number of warnings given to the operator will vary depending on the seriousness of the situation and the decision to prosecute can be made at any time, having regard to the risk rating of the installation and history of non-compliance.</p>
Information Notice	An Information Request Notice may be served on an operator or any other person in order to obtain information relevant to enable the enforcement of the Environmental Permitting Regulations 2016 and 2018.
Enforcement Notice	<p>When an operator has contravened, is contravening or likely to contravene an environmental permit condition.</p> <p>If an incident or accident significantly affecting the environment has occurred as the result of the operation of the regulated facility.</p>
Suspension Notice	<p>The operation of an installation involves a risk of serious pollution.</p> <p>A suspension notice can be served in full on the entire regulated facility or in part, known as a 'partial suspension notice', whether or not the operator has breached a permit condition.</p> <p>The suspension notice ceases to authorise the operation of either the entire regulated facility or, in the case of a partial suspension notice, those activities specified in the notice.</p>

Prevent or remedy pollution	<p>A pollution 'clean-up' may be organised under the following scenarios:</p> <ul style="list-style-type: none"> • As an alternative to a suspension notice, if in the council's opinion, the operation of a regulated facility involves the risk of serious pollution the council may arrange for steps to be taken at the operator's expense for the risk to be removed. • If an operator commits any of the following offences which causes pollution the council may arrange for steps to be taken to remedy the pollution at the operator's expense: <ul style="list-style-type: none"> • Operating without a permit • Contravening a permit condition • Contravening an enforcement notice or suspension notice • Failing to comply with an information notice • Making false or misleading statements • Making false entries • Forging documents with intent to deceive <p>In this case the council will give the operator at least five working days advance notice in writing of the steps the council intends to take.</p>
Revocation Notice	<p>Appropriate where the exhaustive use of other enforcement tools has failed to protect the environment.</p> <p>Revokes an environmental permit or part of a permit.</p> <p>Non-payment of the annual subsistence charge.</p>

Food Safety

Document	Food Safety
Author	Vikki Flowers
Review Date	May 2023

Food Safety	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
Hygiene Improvement Notice	Formal action is proportionate to the risk to public health. There is a record of non-compliance with breaches of food hygiene regulations. The authorised officer has reason to believe that an informal approach will not be successful.
Improvement Notice	Formal action is proportionate to the risk to public health. There is a record of non-compliance with breaches of food laws relating to the matters enforced by a district council. The authorised officer has reason to believe that an informal approach will not be successful.
Voluntary Closure (food hygiene)	There is an imminent risk of injury to health. Immediate action is required to protect public health. Officer is confident that premises will not reopen without prior consent of the officer. Taken in agreement with the food business operator.
Hygiene Emergency Prohibition Notice	There is an imminent risk of injury to health. Immediate action is required to protect public health. Informal voluntary closure is considered inappropriate due to the nature or severity of the health risk conditions and that the officer is not confident that the business will remain closed voluntarily. The service of a Hygiene Emergency Prohibition Notice will be followed by an application to the Magistrates court for a Hygiene Emergency Prohibition Order.
Emergency Prohibition Notice	There is an imminent risk of injury to health. Immediate action is required to protect public health. Informal voluntary closure is considered inappropriate due to the nature or severity of the health risk conditions and that the officer is not confident that the business operator will mitigate the risk voluntarily. The service of an Emergency Prohibition Notice will be followed by an application to the Magistrates court for an Emergency Prohibition Order.

Remedial Action/
Detention Notices
– only applicable
to approved
premises.

Remedial Action/Detention Notices will be considered if:

- There is a breach of the Hygiene Regulations.
- An inspection under the Hygiene Regulations has been hampered.
- There are indications or suspicions that food at an establishment is unsafe and requires examination.
- Immediate action is required to ensure food safety.
- Continuing offences require urgent action and corrective actions have been ignored.

Health and Safety

Document	Health and Safety
Author	Vikki Flowers
Review Date	May 2023

Health and safety	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
Improvement Notice	<p>The breach of the law is more serious.</p> <ul style="list-style-type: none"> • There is a lack of confidence in the proprietor responding to an informal approach. • There is a history of non-compliance with informal action. • Standards are generally poor, and management is not aware of the required controls/standards. • The consequences of non-compliance could result in serious risks to health and safety or inadequate welfare provision.
Prohibition Notice	<p>An activity involves, or will involve, a risk of serious personal injury.</p> <ul style="list-style-type: none"> • A notice will either prohibit the use of a premises, piece/s of equipment or process. • Prohibition will be considered when there is no confidence that the duty holder will voluntarily close the premises or cease the use of any equipment or process.

Death at Work

Where there has been a breach of the law leading to a work-related death a charge of manslaughter or corporate manslaughter will be considered. Investigation and prosecution decisions will be coordinated following a work-related death and the 'Work-related deaths: A protocol for liaison' will be followed. This protocol has been jointly agreed by the Health and Safety Executive, the Association of Chief Police Officers, the British Transport Police, the Crown Prosecution Service, the Local Government Association, and the Office of Rail Regulation. Non-signatory organisations, such as the Maritime and Coastguard Agency, Civil Aviation Authority, and the Chief Fire Officers Association, have agreed that they will take account of the protocol when responding to work-related deaths.

Private Sector Housing

Document	Private Sector Housing
Author	Vikki Flowers/Joy Swithenbank
Review Date	May 2023

Private Sector Housing	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
Obtaining information/provision of documents	<ul style="list-style-type: none"> Any document/information required to exercise relevant functions of the Housing Act 2004 or other relevant legislation. Any document/information required for the purpose of investigating whether an offence has been committed.
Hazard Awareness Notice	<ul style="list-style-type: none"> Duty to serve a notice when there is a category 1 hazard/s in the property. A notice may be served when there are category 2 hazards in the property. Where significant progress has not been made to address the issue informally and conditions have deteriorated or pose an increased risk. Property is owner occupied and the occupant is competent to make decisions.
Improvement Notice	<ul style="list-style-type: none"> Duty to serve a notice when there are category 1 hazard/s in the property. A notice may be served when there when there are category 2 hazards in the property. Formal action is proportionate to the risk to public health. There is a record of non-compliance. The authorised officer has reason to believe that an informal approach will not be successful. Significant progress has not been made to address the issue under a Hazard Awareness Notice. Significant deterioration in the condition of the property increasing the risk rating. Will consider service of improvement notice where concerns have been raised about retaliatory eviction.
Rent Repayment Orders	<p>Failure to comply with prescribed legislation requirements namely failure to:</p> <ul style="list-style-type: none"> Obtain a licence for a property that was required to be licensed. Meet requirements an improvement notice. Meet requirements of a prohibition notice. Breach a Banning Order <p>Where rent has been paid through Housing benefit or through the housing element of universal credit the council will apply to the First</p>

	<p>Tier Tribunal for an order requiring the landlord to repay a specified amount of rent.</p> <ul style="list-style-type: none"> • Where rent has been paid by the tenant themselves, the council will offer advice to assist tenants to apply for a rent repayment order.
The Smoke and Carbon Monoxide Regulations	<ul style="list-style-type: none"> • Notice and / or a monetary penalty will be imposed for non-compliance. • Enforcement action will be considered in line with other statutory provisions.
Empty properties / Buildings open for access	<ul style="list-style-type: none"> • Identify, risk assess and prioritise long term, problematic and nuisance empty properties and liaise with the owners to bring them back into use. • Serve notice to prevent properties becoming a nuisance to surrounding properties. • Secure properties if open for access to prevent to prevent unauthorised entry.
Property redress scheme	<p>Notice and / or a monetary penalty will be imposed for letting agents or property managers identified as not being registered with a property redress scheme.</p>
Supporting Tenants	<p>Where rent has been paid by the tenant themselves, the council will offer advice to assist tenants to apply for a rent repayment order. Issues raised regarding the Tennant Fees Act 2019 and Homes Act 2018 Provide advice on associated legislation that protects their rights as a tenant.</p>
The Electrical Safety Standards in the Private Rented Sector (England) Regulations 2020	<ul style="list-style-type: none"> • Officers will use the power to demand sight of electrical safety reports. • Where on officer has reasonable grounds to believe that the landlord is in breach of the Regulations a remedial notice will be served on the landlord to compel the landlord to comply with the Regulations. • Landlords have 28 days to remedy the breach. If the work is not carried out or the report indicates urgent remedial action is required, the council may carry out the required works. • The council will recover the costs of taking the action from the landlord and may also impose a financial penalty of up to £30,000 on landlords who are in breach of their duties.

Residential Services

Document	Residential Services
Author	Vikki Flowers/Joy Swithenbank
Review Date	May 2023

Residential Services	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
No Action	Action will not be taken when enquiries do not fall under jurisdiction of legislation.
Formal action: Statutory Notices including Community Protection Notices.	<ul style="list-style-type: none"> • Formal action including service notices will be taken that is proportionate to the risk to public health in that a statutory nuisance, public health issue or impact to the environment exists. • There is a history of non-compliance with the relevant regulations. • The authorised officer has reason to believe that an informal approach will not be successful. • The intended course of action will be notified to the perpetrator with the aim of resolving any points of difference that may affect legal proceedings. This will normally be done through a visit or direct discussion with the person responsible. It will detail the evidence upon which formal action is based, reasons for taking the action, if relevant the type of works that may be considered necessary and the time period considered reasonable to resolve the issue. These discussions may provide a valuable guide to effective enforcement and may result in an outcome acceptable to both parties.

■ | Skin Piercing Activities

Document	Skin Piercing
Author	Linda McWilliams
Review Date	May 2023

Tattooing, semi-permanent skin colouring, cosmetic piercing, acupuncture, and electrolysis	Action(s) to be considered in the event of non-compliance of statutory requirements/risk to public health or un-registered premises relating to tattooing, semi-permanent skin colouring, cosmetic piercing, acupuncture, or electrolysis.
Formal Action Formal Letter. Health and Safety at Work etc. Act - Improvement Notice. - Prohibition Notice. Health Protection (Part 2A Orders) to impose restrictions or requirements.	Formal action will be initiated in circumstances including where: <ul style="list-style-type: none"> • There is a contravention of a relevant statutory provision or byelaw. • Registration conditions are not met. • An operator/premise(s) requiring registration is operating unregistered. • There is a risk or potential risk to public health. • There is a risk of serious personal injury. • Immediate action is necessary in relation to an imminent health risk or a failure to control risk.
Suspension, cancellation, and refusal of a registration - Local Government (Miscellaneous Provisions) Act 1982 (as amended) Sec 16.	A registration of a person or premises can be suspended, cancelled, or refused if the Magistrates' Court finds that a person registered to practice acupuncture, tattooing, semi-permanent skin colouring, cosmetic piercing, or electrolysis guilty of an offence(s). The Court may also suspend or cancel a premises registration, of the premises where the offence(s) were committed.

Smoke Free

Document	Smoke Free
Author	Linda McWilliams
Review Date	May 2023

Smoke Free	Action (s) to be considered in the event of non-compliance of statutory requirements relating to smoke free legislation
Formal Action Fixed penalty notice (s)	<p>Fixed Penalty Notices will be issued in circumstances including:</p> <ul style="list-style-type: none"> • Where individuals, owners, businesses, or employers choose not to, or fail to meet the criteria set out in smoke free legislation. • If a person(s) is found to be smoking in a smoke free designated workplace, vehicle, or substantially enclosed area open to members of the public, a fixed penalty notice of £50 will be issued. • Where no appropriate signage has been displayed in a designated no-smoking area/vehicle, a fixed penalty notice of £200 will be issued.

Waste and Street Scene

Document	Waste and Street Scene Enforcement Options
Author	Sue Seddon
Review Date	May 2023

Hambleton District Council, as a Waste Enforcement Authority, has a duty placed on it by the Environmental Protection Act 1990 to manage and regulate waste. The council is committed to maintaining a clean and safe environment for the benefit of everyone in the district. This commitment recognises its responsibility to keep the streets and local environment clear of litter, dog fouling and other local environmental quality issues.

The council is only responsible for the cleaning of fly tipping from public land - not from private land.

The following options will be considered when enforcing this duty:

CONTROLLING WASTE including: Fly tipping; Littering; Litter clearance and Control of Street Litter; Graffiti; Flyposting; Abandoned Vehicles and Nuisance Parking; Dog Fouling	
No Action	Enforcement options shall not be considered where there is no evidence available to identify the likely perpetrator.
Fixed Penalty Notices	<p>Where it is in the public interest to do so, the council will endeavour to give the offender an opportunity to avoid prosecution by the payment of a Fixed Penalty Notice if appropriate.</p> <p>The issuing of Fixed Penalty Notices will be considered by the council in the following circumstances - where the offence has been admitted to by the offender:</p> <ul style="list-style-type: none"> • where the offence has not been committed by the offender before • where there is sufficient evidence to prove the case. <p>Fixed Penalty Notices are not appropriate with repeat offenders and the council will seek to prosecute them through the court system.</p>

MICROCHIPPING OF DOGS (ENGLAND) REGULATIONS 2015	
No Action	Enforcement options shall not be considered where there is no evidence available to identify the likely perpetrator.

Water Supplies

Document	Water Supplies
Author	Vikki Flowers
Review Date	May 2023

Water Supplies	Qualifying Criteria for Option (please note the use of each option will only be considered when one or more of the criteria apply)
Investigation	<p>If a water sample fails to comply with the prescribed concentrations or values, defined in the regulations, an investigation will be carried out to determine the cause of the failure/s. The relevant person will then be informed of the findings of the investigation and what further action will be necessary to ensure that the water complies with the prescribed concentration or value.</p> <p>Such an investigation will involve the taking of resamples from the private water supply. Depending on circumstances such samples maybe taken from points on the private water supply other than was sampled previously.</p>
Informal action This may take the form of: Advice; Verbal warning; Written information; Inspection reports; Risk Assessments	<p>Informal action is the first enforcement action to be considered where the water is unwholesome but not a potential danger to human health and in particular where:</p> <ul style="list-style-type: none"> • The risk to human health is not serious enough to warrant formal action (low or medium as defined in the Drinking Water Inspectorate Risk Assessment Tool). • The previous record of the supply is such that it would be reasonable to expect compliance when informal action is taken. • Confidence in the supply's management is high. • The risk to public health as a result of non-compliance is not significant. • The action is part of an ongoing project to improve standards. • The supply is for a single domestic dwelling.
Issue 'boil- notice' (Regulation 18, The Private Water Regulations 2009).	<p>If the private supply of water intended for human consumption constitutes a potential danger to human health, then a notice must be served on the relevant person and the notice must:</p> <ul style="list-style-type: none"> • Identify the private supply to which it relates. • State the grounds for serving the notice. • Prohibit or restrict the use of that supply. • Specify what other action is necessary to protect human health. <p>The consumers of the supply will be informed of the notice and provided any necessary advice.</p> <p>If insufficient information is available to determine if the water constitutes a potential danger to human health, advice will be sought from Public Health England.</p>

Serve a notice (Section 80, The Water Industry Act 1991).

- The water is unwholesome or is likely to be supplied in an unwholesome state and there is potential danger to human health.
- The risk to human health is serious enough to warrant formal action (high or very high risk as defined in the Drinking Water Inspectorate Risk Assessment Tool).
- There is a lack of confidence in the ability or will of the relevant person or person in control to respond to informal action.
- There is previous history of non-compliance with informal action.
- Standards are generally poor and there is low management awareness. This notice will specify what steps are necessary to ensure that the water supplied is wholesome.

The consumers of the supply will be informed of the notice and provided any necessary advice.

If insufficient information is available to determine if the water constitutes a potential danger to human health, advice will be sought from Public Health England.



HAMBLETON
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This information is available in alternative formats and languages



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