

Environmental services and Climate Change Committee	
Meeting Date	12 November 2025
Report Title	Mid Kent Environmental Health Enforcement Policy
EMT Lead	Lisa Fillery Director of Resources
Head of Service	Duncan Haynes
Lead Officer	Annmarie Goodwin & Clare Lydon
Classification	Open
Recommendations	1. That the Committee approves the refreshed Environmental Health Enforcement Policy

1 Purpose of Report and Executive Summary

1.1 The Environmental Health team's existing enforcement policy needs to be refreshed. A new corporate overarching enforcement policy was approved by Cabinet in December 2020. The Environmental Health team's document is intended to complement the overarching corporate policy with team specific detail and information. This report seeks endorsement of the new policy.

2 Background

2.1 The Environmental Health team have a wide range of enforcement powers and tools available to resolve issues when necessary. This policy highlights some of these and explains how and when they may be used in conjunction with the principles outlined in the agreed corporate policy.

2.2 It is good practice to have a function specific policy in place that helps to promote consistent, efficient and effective approaches to regulatory inspection and enforcement as a means of improving regulatory outcomes without imposing unnecessary burdens.

2.3 The overarching corporate policy sets out the principles of good regulation (consistent, targeted, transparent, accountable, proportionate and helpful) which should be applied to all the Council's enforcement activity.

2.4 This policy will ensure consistency in enforcement. It sets out a statement of what those who are on the receiving end of enforcement action should expect from the Council in how it discharges its responsibilities.

3 Proposal

3.1 The Committee is requested to approve the refreshed Environmental Health Enforcement Policy.

4 Alternative Options Considered and Rejected

- 4.1 The alternative option is to use our existing team policy. This is not recommended as the that policy is out of date and does not account for changes in legislation and regulations.

5 Consultation Undertaken or Proposed

5.1 The Environmental Health Manager and Environmental Protection & Food and Safety Team leaders within the Environmental Health team have reviewed the document and provided comments.

5.2 The contents of the enforcement policy are strictly governed by the legislation being enforced, therefore, given there is minimal scope for changes it was felt unnecessary to widen the consultation for this policy.

6 Implications

Issue	Implications
Corporate Plan	This policy aligns with several priorities in the corporate plan, especially community and environment.
Financial, Resource and Property	The Enforcement policy can be delivered with existing staff resource. Where allowed in legislation, the Council will recover its reasonable costs from the appropriate party where these are incurred in enforcement.
Legal, Statutory and Procurement	This policy is intended to ensure that regulatory inspection and enforcement is carried out in a fair, practical and consistent manner. It is good practice to have this in line with the Regulators' Code, which sits under the Legislative and Regulatory Reform Act 2006. RIPA guidance and legislation may be relevant and is considered on a case-by-case scenario.
Crime and Disorder	The policy makes clear that enforcement activity is targeted on those whose activities give rise to the most serious offences.
Environment and Climate/Ecological Emergency	Effective and visible enforcement is key to tackling environmental crime and protecting food safety and people's health & safety along with fulfilling the council objectives. Reducing environmental health crime will reduce council costs.
Health and Wellbeing	

	A cleaner healthier borough enhances residents' wellbeing and allows residents to enjoy open spaces as well as food establishments and safe workplaces.
Safeguarding of Children, Young People and Vulnerable Adults	Follow the Safeguarding Policy and liaise with officers from the Safeguarding Team within the Community Safety Unit, we will complete all necessary referrals
Risk Management and Health and Safety	None identified at this time
Equality and Diversity	N/A
Privacy and Data Protection	Data of individuals will be collected and stored in line with DPA 2018 & GDPR guidelines.

7 Appendices

- 7.1 The following documents are to be published with this report and form part of the report:
Appendix I: Environmental Health Enforcement policy

8 Background Documents

The Regulators' Code: <https://www.gov.uk/government/publications/regulatorscode>.

Swale Borough Councils overarching enforcement policy
<https://services.swale.gov.uk/assets/Strategies-plans-and-policies/Enforcement%20Policy/Enforcement%20Policy.pdf>