



WEST OXFORDSHIRE  
DISTRICT COUNCIL

## WEST OXFORDSHIRE DISTRICT COUNCIL

Name and date of Committee	EXECUTIVE – 11 MARCH 2026.
Subject	CORPORATE ENFORCEMENT POLICY
Wards affected	All
Accountable member	Councillor Andy Graham, Leader of the Council Email: <a href="mailto:Andy.Graham@westoxon.gov.uk">Andy.Graham@westoxon.gov.uk</a>
Accountable officer	Andrea McCaskie, Director of Governance and Regulatory Services Email: <a href="mailto:andrea.mccaskie@westoxon.gov.uk">andrea.mccaskie@westoxon.gov.uk</a>
Report author	Emma Cathcart, Assistant Director Counter Fraud and Enforcement Unit Email: <a href="mailto:emma.cathcart@cotswold.gov.uk">emma.cathcart@cotswold.gov.uk</a>
Summary/Purpose	<p>To present Executive with a revised Corporate Enforcement Policy ('The Policy') for approval and adoption.</p> <p>West Oxfordshire District Council ('the Council') is required to have an effective Corporate Enforcement Policy to enable Officers to investigate and take action to ensure individuals and businesses comply with the law.</p> <p>The Policy sets out the legislative framework and principles the Council will abide by when undertaking investigations to mitigate the risk of legal challenge in Court.</p> <p>The Policy demonstrates the Council's consideration of necessity, proportionality and public interest when deciding on enforcement action and demonstrates openness and transparency for residents, Councillors and employees.</p>
Annexes	Annex A – Corporate Enforcement Policy Annex B – Equality and Rurality Impact Assessment
Recommendation(s)	<p>That the Executive resolves to:</p> <ol style="list-style-type: none"><li>I. Approve and adopt the Corporate Enforcement Policy attached to this report as Annex A.</li></ol>

	<p>2. Delegate authority to the Director of Governance and Regulatory Services to approve future minor amendments to the Policy, in consultation with the Leader of the Council, Head of Service Counter Fraud and Enforcement Unit, Relevant Heads of Service and the Head of Legal Services.</p>
Corporate priorities	Working Together for West Oxfordshire
Key Decision	NO
Exempt	NO
Consultees/ Consultation	The draft Policy was subject to consultation with Enforcement Officers, Management Team and Legal Services.

## **1. EXECUTIVE SUMMARY**

- 1.1 The Counter Fraud and Enforcement Unit is tasked with reviewing the Council's Corporate Enforcement Policy.
- 1.2 Regulatory authorities produce enforcement policies to inform the public and businesses about the principles which underpin their approach to enforcement.
- 1.3 The Council is responsible for investigating and enforcing a wide range of breaches and offences. This Policy is required to ensure consistency in the approach the Council takes when considering the enforcement options available, as it provides an overarching framework.
- 1.4 A consistent and fair standard will help to ensure the Council is less likely to be challenged during legal proceedings and aids Officers when taking enforcement decisions.
- 1.5 Some service areas may produce separate operational enforcement plans and policies setting out more detailed relevant service-specific procedures.

## **2. BACKGROUND**

- 2.1 The Policy attached at Annex A sets out the enforcement principles that the Council will apply to its enforcement activities and the guiding principles by which the Council will seek to protect public health, safety, amenity and environment within its locality.
- 2.2 The Policy details the various areas of enforcement the Council is responsible for. It has been reviewed by lead officers who have enforcement responsibilities to ensure it correctly reflects key legislation.
- 2.3 The Policy acts as an overarching one for the Council, with individual service areas adhering to more detailed enforcement policies and procedures relating to their specific areas of enforcement and legislation.
- 2.4 For ease of reference, new text is shown in red and text to be removed is shown as struck through.
- 2.5 The majority of the amendments in sections 1 to 15 reflect minor amendments with more significant additions and updates being made to Section 16 of the Policy 'The scope of each service'.
- 2.6 Section 16 of the Policy now reflects a new section being drafted to better cover the Licensing Service and the Council's activities in relation to anti-social behaviour.
- 2.7 Cabinet (now Executive Committee) considered the Policy in April 2019.
- 2.8 Awareness will be raised with all employees following the approval of the Policy through internal communication channels and through all employee briefings and management meetings.

## **3. ALTERNATIVE OPTIONS**

- 3.1 None.

## **4. FINANCIAL IMPLICATIONS**

- 4.1 There are no direct financial implications arising from this report.
- 4.2 The adoption and approval of this Policy will support the Council's objectives in reducing crime and financial loss to the council.
- 4.3 The Policy provides Officers with a framework that can be followed when dealing with enforcement. This allows for financial penalties to be charged however the intention of the Policy is not for revenue raising purposes but to ensure the correct application of sanctions and penalties.

## **5. LEGAL IMPLICATIONS**

- 5.1 There are no significant legal implications associated with this report.
- 5.2 The Council has a statutory obligation for enforcing a wide range of legislation, where it is necessary and proportionate to do so, and this is identified within the policy.
- 5.3 In general terms, the existence and application of an effective enforcement regime assists the council in effective deterrent and detection activities which is less susceptible to legal challenge.
- 5.4 The legislation utilised by the Council is identified within the Policy and the Council must comply with all legislative requirements.

## **6. RISK ASSESSMENT**

- 6.1 The Council is required to have an effective Corporate Enforcement Policy to enable Officers to investigate and take action to ensure individuals and businesses comply with the law.
- 6.2 The Policy sets out the legislative framework and principles the Council will abide by in investigations undertaken and to mitigate the risk of legal challenge in Court.

## **7. EQUALITIES IMPACT**

- 7.1 Prosecutions will only be considered where the evidential and public interest tests are met with due consideration to the welfare of individuals. Where any safeguarding concerns are identified during the course of any investigation, appropriate referrals will be made.
- 7.2 The Council will only take enforcement action where appropriate to do so with due consideration to older offenders, offenders with disabilities and where the offender lacks mental capacity.
- 7.3 The Council seeks to ensure that public authorities' actions are consistent with the Human Rights Act 1998. It balances safeguarding the rights of the individual against the needs of society as a whole to be protected from crime and other public safety risks.
- 7.4 An Equality and Rurality Assessment is attached at Annex B detailing considerations.

## **8. SUSTAINABILITY IMPLICATIONS**

8.1 None directly.

9. **BACKGROUND PAPERS**

None. (END)