



SCOTTISH REGULATORS STRATEGIC CODE OF PRACTICE

ANNUAL STATEMENT OF COMPLIANCE

Economic Growth

The Economic Growth Service of North Ayrshire Council confirm that the service is compliant with the code of practice. The integrated regulatory functions within the service (Building Standards, Environmental Health and Trading Standards) can demonstrate an effective contribution towards the Council's approach to sustainable economic growth as well as maintaining and promoting a prosperous, fair and safe society by adopting the following principles from the code.

- Recognising that regulators are enablers
- Risk and evidence is considered at every stage in the process
- Understanding those we regulate and tailoring approaches accordingly
- Ensuring clear and effective communication with those we regulate

The principles of the code are embedded throughout the service and the following is a summary of some of the approaches and examples that demonstrate this.

- The Team North Ayrshire approach, which is a unique approach to growing the economy in North Ayrshire, is firmly embedded throughout the service, across the Council and our partners and our regulatory functions play a key role in its delivery.
- Service level agreements are in place for regulatory input into economic development activity in Irvine's Enterprise area.
- Enforcement policies have been reviewed, and will continue to be reviewed, to ensure that they reflect the risk based, graduated and educative approach to enforcement taken by the service.
- The services 'account managed businesses' are flagged to all regulatory staff facilitating early and effective liaison and support and where required assist those that are non-compliant.

- Existing long established relationships and the frequent interaction that our regulatory functions have with business are used to best effect to identify where support could be provided to signpost economic development services
- Our regulatory functions liaise regularly with EDR Board members and provide advice and assistance to help the business base 'get it right first time'.
- Straight taking events are used to provide clear and effective two way communication, debate and prioritisation of the Council's EDR Strategy which has a vision for North Ayrshire to be the most improved economy in Scotland by 2025.

Physical Environment

Under Section 114 of the Housing (Scotland) Act 1987, the Council retains the statutory authority to serve Closing Orders where residential properties fail to meet the recognised tolerable standard.

Under Section 115 of the Housing (Scotland) Act 1987, the Council retains the statutory authority to serve Demolition Orders where properties fail to meet the recognised tolerable standard.

These discretionary powers are not currently regularly exercised by North Ayrshire Council. Additional financial resources would be required to implement these Orders and there are no grants available to owners to assist with repairs.

Where such properties are identified, officers within Property Management and Investment Team and the Private Sector Housing Team make every attempt to engage with the property owner to offer support and advice on how to bring the property up to a habitable standard.

For all other service areas within Physical Environment, the services themselves are regulated by either other parts of the Council or external bodies, e.g. the Scottish Housing Regulator.

Commercial Services

Our Streetscene Environmental Enforcement Team's approach to dealing with environmental crime is in line with North Ayrshire Council's Litter, Flytipping and Dog Fouling Prevention Strategy. The Strategy sets out a framework and action plan to address these issues, and focuses on the 3 key priorities of Education, Enablement and Enforcement.

The Environmental Enforcement Officers' approach meets the requirements of the Code of Practice. The Officers have statutory authority under the following Acts, and the following information highlights some examples that demonstrate this.

Environmental Protection (Scotland) Act 1990

Section 33 (Flytipping)

The Streetscene Service has adopted a poster and social media campaign to educate waste producers on the impact and potential penalties for flytipping. This platform provides residents with a forum to report issues and offender details, which are then investigated by our dedicated enforcement team and actioned accordingly. Signage and regular patrols of problematic areas have helped to control flytipping incidents within the area. Enforcement officers monitor known problematic areas and have the authority to issue fixed penalty notices to alleged offenders.

Section 34 (Duty of Care)

Collaborative working arrangements between our Waste Resources Team and our Environmental Enforcement Team have been established to identify breaches and potential breaches in duty of care with respect to waste regulations. The partnership has also developed internal processes to reduce the risk of escaped or mismanaged waste to ensure a reduction in litter originating from escaped waste materials.

Section 87 (Littering)

School Litter

It costs an estimated £35,000 p.a per School for clearing lunch time litter.

Streetscene have therefore developed a bespoke solution in the "OB-litter-ATE" campaign to tackle this issue. Working in partnership with Education, KA leisure and Anti-social behaviour teams our aim is to identify those responsible for littering and hold them accountable through letters to parents, litter picks and detention with the added possibility of behavioural contracts for persistent offenders. The scheme also allows for the identification and reward of those setting a good example and acting in a positive manner by issuing Leisure passes for families and letters of commendation to parents.

Enforcement officers patrol public areas and have the authority to issue fixed penalties to alleged offenders

Roadside Litter

Streetscene have signed up to participate in the Keep Scotland Beautiful campaign to tackle road side litter using signage and marketing techniques.

An additional development from this campaign has created a parallel initiative "Dash Cam" created by North Ayrshire Council which invites motorists to submit dash cam footage of litter being discarded from vehicles within our area which can then be investigated by our enforcement team to consider appropriate action.

Town and Country Planning / Roads Act / Litter etc

(Fly posting)

Streetscene have produced a guidance document for those considering advertising an event within North Ayrshire, this is supported by our new Fly Posting Policy (2017).

Businesses are provided with guidance regarding the placing of banners and signage by the Council's licensing team on receiving applications or informal requests for info regarding permits to operate. Close working relationships with local businesses help reduce and identify potential breaches in this area.

Those found to be offending can be issued with penalty notices and can be invoiced for removal costs if they fail to remove their fly posted items.

The Dog Fouling (Scotland) Act 2003

Section 1

Environmental Enforcement officers patrol known hot spot areas in an attempt to identify and initiate action against offenders of dog fouling crimes. Media and social media campaigns are supported by our continuous deployment of educational signage and stencils warning of the risks and consequences of offending. Patrols are targeted effectively to areas of concern. Live information is provided to Officers as they attend multiple community and tenant / resident meetings.

Individuals who allow their dogs to foul without removing the mess are issued with fixed penalty notices which can escalate to Sheriff Officers for fine collection if required. Offenders are offered the opportunity to remove the defecation retrospectively and prevent further costs for removal.