





**2 WHAT THIS POLICY IS FOR**

### **3 SCOPE OF THE POLICY**







## **6 NOTIFYING ALLEGED OFFENDERS**

## **7 ENFORCEMENT ACTION**

**An Overview of the enforcement actions available**

**Deciding what level of action is appropriate**





**Failure to discharge a FPN and/ or a PCN**

**Removal or Seizure**

**Injunctive Actions and Other Civil Sanctions**

**Public Space Protection Orders**



## **Premises Licences (Gambling Act 2005)**

**Simple Caution**

## **Civil Penalty**

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## Prosecution







## **12 PROTECTION OF HUMAN RIGHTS**

## **13 REVIEW OF THE ENFORCEMENT POLICY**

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## **14 Appendices**

**Appendix 1 – Enforcement Policy Risk Matrix**

**Appendix 2 – Civil Penalties Charging Policy**

**Appendix 3 – Equality Assessment**

**APPENDIX 1**

**RISK MATRIX FOR REGULATION AND ENFORCEMENT - ENFORCEMENT POLICY**

<b><u>REGULATION AND ENFORCEMENT</u> <u>ACTIVITY</u></b>	<b><u>ACTIVITY</u></b>	<b><u>SCORE</u></b>

<b>People are safe and their wellbeing and safety are assured</b>		
<b>Direct or indirect economic implications to legitimate businesses</b>		

<b>People are safe and their wellbeing and safety are assured</b>		
<b>Direct or indirect economic implications to consumers or the wider public</b>		
<b>Reputation (risk to the local authorities' reputation) in taking no action</b>		
<b>Likelihood that the infringing activity could have been easily ascertained (for example: the size of the business may be a factor when making this assessment or</b>		







<b>People are safe and their wellbeing and safety are assured</b>		
<u>KEY</u>	<u>ASSESSMENT</u>	<u>SCORE RATING</u>

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**APPENDIX 2**

**Birmingham City Council Civil Penalty Charging Policy**

**- Private Rented Sector**

**1. Determining the amount of a penalty charge**

**2. Legal powers**

<b>Offence</b>	<b>Relevant legislation</b>



5. Level of penalty charge

Seriousness of the offence	Starting level

6. Imposing a civil penalty









**9.3. Stage 1- Breach of licence conditions – Sections 72(3) and 95(2) Housing Act 2004**





Regulation	Starting Level	
	Additional Licensing	Mandatory Licensing













**14.0 Stage 6 – review of the penalty**



## **19.0 Review of policy**