

Cabinet – 17 April 2024

Recommendations from Economy and Environment Overview and Scrutiny Committee regarding Fixed Penalty Notices and enforcement legislation

Portfolio: Councillor Perry – Deputy Leader and Resilient Communities

Related Portfolios: None

Service: Economy, Environment and Communities

Wards: All

Key decision: N/A

Forward plan: N/A

1. Aim

To receive a recommendation from the Economy and Environment Overview and Scrutiny Committee made on 27 February 2024.

2. Recommendations

That Cabinet considers the recommendations of the Economy and Environment Overview and Scrutiny Committee.

3. Report detail – know

At its meeting of 27 February 2024, the Economy and Environment Overview and Scrutiny Committee received an overview of the Council's fly tipping enforcement activities.

The Committee noted that the Council had a statutory responsibility to ensure that the collection and disposal of waste generated or deposited was appropriately undertaken. Fly tipping was a primary concern for the Council and Members noted that the number of reported cases of fly tipping and side waste had remained consistent throughout 2023 but had reduced since 2020.

The Environmental Crime Scene Initiative was noted as a good example of working with local areas to identify and advertise fly tipping incidents within areas. This work provided an example to local communities that fly tipping was a crime and due to its success, the initiative was being rolled out to other areas of the Borough. To compliment this approach, the Council was committed to strengthen enforcement and had invested in five new staff within Community Protection. Members noted a number of examples of enforcement action taken by the Council including actions resulting from CCTV deployment.

The Committee debated the limitations of fixed penalty notices and noted the change in legislation to raise the upper limits of littering from £150 to £500 and fly tipping from £400 to £1000. There was a consensus that the financial limitation was not enough to discourage individuals from fly tipping. As such, the Committee unanimously agreed to recommend that the Cabinet work with the Local Government Association to increase the financial levels of fixed penalty notices and strengthen enforcement legislation.

Resolved:

That, the Cabinet work with the Local Government Association to lobby Government to increase the financial levels of fixed penalty notices for littering and fly tipping and strengthen enforcement legislation.

4. Decide

The recommendations of the Committee are set out and the Cabinet could choose to:

1. Accept the recommendations as set out;
2. Reject the recommendations; and/or
3. Choose to receive a report in more depth at a future Cabinet meeting.

5. Respond

Following the decision of Cabinet, the Economy and Environment Overview and Scrutiny Committee will be advised of the outcome of their recommendation.

6. Review

Subject to the decision of Cabinet, further reports at Economy and Environment Overview and Scrutiny Committee meetings or Cabinet meetings may be required.

Background papers

None

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