

- 3.3 A public consultation seeking opinions on the updated policy and procedure has now been undertaken, and the responses were overwhelmingly supportive and therefore no further amendments to this document is proposed.

Agreement to fining people on their first littering offence – 100% yes

Agreement to new fixed penalty notice for fly tipping – 100% yes

Overall believe policy is fair – 100% yes

Overall happy with procedures for tackling environmental crime – 95% yes

4. EXEMPTIONS IN ACCORDANCE WITH THE ACCESS TO INFORMATION PROCEDURE RULES

- 4.1 This report will be heard in open session.

5. FINANCIAL IMPLICATIONS [CS]

- 5.1 At this stage it is not expected that this change will result in significant additional income. The current income budget from penalty notices is £2,000

6. LEGAL IMPLICATIONS [AR]

- 6.1 This is contained within the body of this report and the updated policy/procedures.

7. CORPORATE PLAN IMPLICATIONS

- 7.1 The introduction of the updated policy and procedures will contribute to the corporate plan aims of:-

- Clean neighbourhoods
- Protecting and improving our parks and open spaces
- Protecting the community by creating a safer place.
- Encourage responsible citizenship

8. CONSULTATION

- 8.1 HBBC undertook a web based consultation seeking views on the changes proposed. 20 responses were received and the results are detailed in 3.4 of this report.

9. RISK IMPLICATIONS

- 9.1 It is the Council's policy to proactively identify and manage significant risks which may prevent delivery of business objectives.

- 9.2 It is not possible to eliminate or manage all risks all of the time and risks will remain which have not been identified. However, it is the officer's opinion based on the information available, that the significant risks associated with this decision / project have been identified, assessed and that controls are in place to manage them effectively.

- 9.3 The following significant risks associated with this report / decisions were identified from this assessment:

Management of significant (Net Red) Risks		
Risk Description	Mitigating actions	Owner
Lack of staff to carry out enforcement duties (this new policy includes new enforcement responsibilities)	Seek opportunities to increase enforcement capacity	Lisa Kirby

10. KNOWING YOUR COMMUNITY – EQUALITY AND RURAL IMPLICATIONS

10.1 Fly tipping is a problem particularly in our rural areas affecting farmers and other land owners. Any initiative which simplifies the enforcement of environmental legislation will assist in these areas.

10.2 The policies and procedures are to be applied consistently across all areas of the Borough.

10.3 Equalities are covered in section 7 of the policy / procedures

11. CORPORATE IMPLICATIONS

11.1 By submitting this report, the report author has taken the following into account:

- Community Safety implications
- Environmental implications
- ICT implications
- Asset Management implications
- Procurement implications
- Human Resources implications
- Planning implications
- Data Protection implications
- Voluntary Sector

Background papers: Environmental Enforcement Policy and Procedures (Dec 2016)

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