

RHONDDA CYNON TAF COUNTY BOROUGH COUNCIL

CABINET

25th JANUARY 2018

INCREASE OF THE FIXED PENALTY NOTICE

REPORT OF DIRECTOR OF HIGHWAYS AND STREETCARE SERVICES IN DISCUSSION WITH THE RELEVANT PORTFOLIO HOLDER COUNCILLOR A CRIMMINGS.

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1. PURPOSE OF THE REPORT

- 1.1 The purpose of the report is to seek authority to increase the current Fixed Penalty Notice of £75 to £100 in order to align it to the recently established Public Spaces Protection Order ('PSPO'), which strengthened dog controls in Rhondda Cynon Taf

2. RECOMMENDATIONS

It is recommended that Cabinet:

- 2.1 Notes the overwhelming public support given to the introduction of the Public Spaces Protection Order and to the prohibitions and requirements in relation to the control of dogs introduced there in.
- 2.2 Approves the increase of the current Fixed Penalty Notice of £75 to £100 (in doing so generating additional annual income estimated to be £20,000 in 2018/19) from April 1st 2018 in order to align it to the PSPO and avoid any confusion to the general public, for the following issues:-
- Littering
 - Contamination of Recycling
 - Fly Tipping
 - Fly Posting
 - Graffiti
 - Bins on the Highway

3. REASONS FOR RECOMMENDATIONS

- 3.1 Littering and Fly Tipping remain a significant concern for the Council. Despite considerable efforts to raise awareness and educate the general public on the damage these acts do to our environment, there remains a minority who continue to dispose of their waste in this manner.
- 3.2 The current Fixed Penalty Notice (FPN) has been in place since the introduction of the Enforcement Unit in Streetcare during 2005 and this change would bring it in line with the recently introduced FPN under the PSPO for the control of dogs. It would also enable the Council to show it will not tolerate environmental crime and help us meet the needs and aspirations of local people.

4. BACKGROUND

- 4.1 In 2005, the Council set up the Enforcement Unit in Streetcare, primarily to tackle 6 key areas with a dedicated team:-
- Littering
 - Dog Fouling
 - Fly Tipping
 - Fly Posting
 - Graffiti
 - Bins on the Highway
- 4.2 The aim was to raise awareness and educate the general public on the damage these actions have on our environment and the FPN was to be used as a last resort.
- 4.3 Despite the unit being extremely successful in delivering key environmental messages to schools and the general public, and after issuing numerous FPN's and undertaking numerous prosecutions for fly tipping, these issues still remain a problem for the Council. In addition, the Council recently introduced a PSPO to tackle control of dogs and raised the FPN to £100.
- 4.4 This report seeks Cabinet approval to align the FPN of £75 to the newly introduced PSPO across the County Borough (i.e. increase to £100) from April 1st 2018 and to include it for the Contamination of Recycling.

5 CONSULTATION

- 5.1 No consultation is required on this matter.

6 EQUALITY AND DIVERSITY IMPLICATIONS

- 6.1 An Equalities Impact Assessment scoping exercise has been undertaken that indicates that there would be no such implications. There are no equality or diversity implications aligned to the recommendations in the report.

7. FINANCIAL IMPLICATION(S)

- 7.1 It is anticipated that an additional £20,000 income will be generated as a result of increasing the level of fine.
- 7.2 In order to implement the change, there will be a need for new signage to all areas, thus ensuring that the public are aware of the change. Funding is available from existing resources to support these requirements.
- 7.3 It should also be noted that there will not be a need to increase the number of enforcement officers within the service as this can be undertaken within the current staffing structure.

8. LEGAL IMPLICATIONS AND LEGISLATION CONSIDERED

- 8.1 The following Legislation has been considered:-
- Clean Neighbourhood and Environment Act 2005
 - Environmental Protection Act 1990

9. LINKS TO THE COUNCILS CORPORATE PLAN AND FUTURE GENERATIONS – SUSTAINABLE DEVELOPMENT

- 9.1 The proposals in this report are consistent with the priorities of the Council's Corporate Plan, in particular "*Place – creating neighbourhoods where people are proud to live and work*":
- *Rhondda Cynon Taf's local environment will be clean and attractive...*
 - *Rhondda Cynon Taf's parks and green spaces will continue to be valued by residents...*
- 9.2 These proposals are also consistent with the Well-being Goals under the Wellbeing of Future Generations (Wales) Act 2015:
- *A healthier Wales – a society in which people's physical and mental well-being is maximised and in which choices and behaviours that benefit future health are understood.*
 - *A Wales of cohesive communities – attractive, viable, safe and well connected communities.*

10. CONCLUSION

- 10.1 The Council continues to face pressure from the general public for the local environment to be clean and attractive, the proposed change would align the original FPN of £75 to the recently introduced PSPO FPN of £100. It will also be a further deterrent to the few who continue to fail to dispose of their waste in the correct manner across Rhondda Cynon Taf.

Relevant Scrutiny Committee

Public Service Delivery, Communities & Prosperity Scrutiny Committee