



PUBLICATION OF DECISION LIST NUMBER 48/16-17

MUNICIPAL YEAR 2016/2017

Date Published: Tuesday 20th December 2016

This document lists the Decisions that have been taken by the Council, which require publication in accordance with the Local Government Act 2000. The list covers Key, Non-Key, Council and Urgent Decisions. The list specifies those decisions, which are eligible for call-in and the date by which they must be called-in.

A valid request for call-in is one which is submitted (on the form provided) to the Scrutiny Team in writing within 5 working days of the date of publication of the decision by at least 7 Members of the Council.

Additional copies of the call-in request form are available from the Scrutiny Team.

If you have any queries or wish to obtain further report information or information on a decision please refer to:
– Claire Johnson (ext.4239)

Phone 020 8379 then extension number indicated

INDEX OF PUBLISHED DECISIONS – Tuesday 20th December 2016

List Ref	Decision Made by	Date Decision comes into effect	Part 1 or 2	Subject/Title of Report	Category of Decision	Affected Wards	Eligible for Call-In & Date Decision must be called in by (If Applicable)	Page Number
1/48/16-17	Cabinet Member for Environment and Regeneration (Cllr Anderson)	Monday 2 nd January 2017	Part 1	Setting of the Level of Fixed Penalty Notices under the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016	Key Decision KD 4412	All	Yes Tuesday 29 December 2016	1

DECISIONS

For additional copies or further details please contact Claire Johnson (020 8379 4239), Governance Team.

***NOTE: CALL-IN RESTRICTIONS**

Any decisions listed that are for noting only, will not be subject to the Council's call-in procedures. Such items are not deemed to be decisions but matters of information. For further details please contact Claire Johnson (020 8379 4239), Governance Team.

SUBJECT TITLE OF THE REPORT							
Setting of the Level of Fixed Penalty Notices under the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016							
Part 1 or 2 (relevant exempt Paragraph)	Wards affected by decision	Decision taken by	Date Decision comes in to effect	Interest declared in respect of the Decision	Category of decision (i.e. Key, Non-Key, Council, Urgent)	Contact Details	Eligible for Call-in & Date to be called in by
Part 1	All	Cabinet Member for Environment and Regeneration (Cllr Anderson)	Tuesday 3 rd January 2017	None	Key Decision KD 4412	Russell Hart 020 8379 1785	Yes Friday 30 th December 2016
DECISION:							
<p>AGREED: Subject to no call-in being received, the following decision will come into effect Monday 2nd January 2017:</p> <ol style="list-style-type: none"> To agree the introduction of a penalty charge for waste deposit (fly tipping) offences as prescribed by new regulation at the increased level of £400 to align with surrounding London boroughs. To agree not to apply the early payment option To implement the new charge from 1 January 2017 							
ALTERNATIVE OPTIONS CONSIDERED:							
<ol style="list-style-type: none"> There is the option of leaving the current FPN value at £200 but this would not align with other London Councils. There is also the alternative of not issuing FPNs for fly tipping and only prosecute but this would not be cost effect or a good use of limited enforcement officer resources. There is also the option to adopt a reduced penalty amount for early payment. By not offering an early payment option, it will send out a strong message that fly tipping is unacceptable behaviour that the Council takes seriously. 							
REASONS FOR RECOMMENDATIONS:							
<ol style="list-style-type: none"> The borough is adversely impacted by significant number of daily fly tipping incidences. The majority of these incidences are in relation to residential waste dumped within the street scene. The Waste Enforcement Unit look to implement strong penalties against the parties found to be responsible for fly tipping. By implementing the maximum fixed penalty amount, it would be a greater deterrent to prevent fly tipping and also allow for matters to be resolved in a swifter and more efficient manner than automatically proceeding through the courts. The process for issuing a fixed penalty notice for a fly tipping offence is the same as for other offences for which the Council currently issues fixed penalty notices. The recommended amount for the fixed penalty notice is considered justifiable and proportionate. The FPN allows for the responsible parties to discharge liability to conviction swiftly but still at a rate that demonstrates the seriousness of the offence which would still deter any repeat offence. The FPN would also be in line with surrounding London boroughs and failure to increase the value could see the borough become a target for fly tippers, knowing they face lesser punishment, if they were caught in Enfield. 							
BACKGROUND							
Please note that a copy of the Part 1 report is available via the Decision list link on the Council's Democracy pages. As the Part 2 report contains exempt information it will not be available to the press or public.							