

EAST LINDSEY DISTRICT COUNCIL EXECUTIVE DECISION NOTICE

1. Decision to be taken:

To increase the Fixed Penalty Notice fines for the following offences under the Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023.

OFFENCE	CURRENT FPN ELDC	RECOMMENDATION FOR NEW FPN
Graffiti	£100	£300 or £200 if paid within 10 days
Flyposting	£100	£300 or £200 if paid within 10 days
Littering	£150	£250 or £150 if paid within 10 days
Fly tipping	£400	£1000 or £550 if paid within 10 days
Household waste duty of care	£300	£600 or £400 if paid within 10 days

This decision is in accordance with the report attached to and forming part of this decision.

2. This is a:

PORTFOLIO HOLDER SUPPORTED OFFICER DECISION

3. The following is the decision-making body or person:

OFFICER: Chief Executive/Head of Paid Service: Rob Barlow

4. Financial implications from this decision have been communicated to the Portfolio Holder for Finance Cllr Fry and the Leader Cllr Leyland.

5. The decision was taken on: 12/04/2024

6. Contact Officer and details:

Donna Hall, Group Manager Public Protection, donna.hall@sholland.gov.uk

Christian Allen, Assistant Director Regulatory, Christian.allen@boston.gov.uk

7. List of documents submitted for consideration in relation to the matter in respect of which the decision is to be made:

ELDC Report for FPN Decision Notice

8. Where the documents are held and where they can be obtained from (except exempt items) when they become available:

Assistant Director Regulatory or Group Manager Public Protection

9. The reason for the decision and other alternative options considered and rejected:

The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 enable the increase of fines for the aforementioned offences. The Regulations were introduced as part of the Governments Anti-Social Behaviour Action Plan launched in 2023, supporting Councils in tackling environmental crime offences.

ELDC could choose to retain current fine levels however it is considered that an increase reflects Government intention and supports the stance that ELDC continue to take in tackling environmental crime.

10. Declaration of any conflicts of interest of the decision making body or the individual:

None

11. Provide a note of any subsequent dispensations granted by the Head of Paid service:

None

12. Financial Implications of this Decision:-

The decision would not incur any additional costs for the Council, but would see a modest increase in income from Fixed Penalty Notices issued for these offences.

13. This decision has been signed off by:

Head of Paid Service: Robert Barlow

Officer: Christian Allen

Portfolio Holder: Cllr Martin Foster Portfolio Holder for Operational Services