

Report

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Report to:	Community Resources Committee
Date of Meeting:	11 October 2011
Report by:	Executive Director (Community Resources)

Subject:	Environmental Protection Act 1990 Section 87 - Offence of Leaving Litter
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1. Purpose of Report

1.1. The purpose of the report is to:-

- ◆ advise of the outcome of the six month pilot to extend the use of Fixed Penalty Notices to include persons under the age of 16 years.

2. Recommendation(s)

2.1. The Committee is asked to approve the following recommendation(s):-

- (1) that, following evaluation of a 6 month pilot, the use of Fixed Penalty Notices for littering, be extended on a permanent basis to include persons under the age of 16.

3. Background

3.1. One of the key issues raised by the public is litter associated with school pupils travelling to and from school. Despite awareness raising campaigns, littering by secondary school pupils, particularly at lunchtime is a problem throughout the Council area.

3.2. On 7 December 2010, the Community Resources Committee approved the implementation of a six month pilot to extend the issue of Fixed Penalty Notices (FPNs) to include persons under the age of 16 years.

4. Outcome of Pilot

4.1. Locations where there was an identified problem were targeted on a priority basis. Officers from both Community and Education Resources, together with representatives of Strathclyde Police, met and agreed the following action plan:

- ◆ that secondary school head teachers would provide advice on the initiative to pupils, parents and carers. This was completed by 18 February 2011.
- ◆ Council enforcement officers and, when possible, uniformed police would conduct joint patrols at known litter 'hot spots' in the vicinity of each of the secondary schools. This commenced in February 2011 and continued through to June 2011.
- ◆ the use of fixed penalty notices, currently £50, for persons under the age of 16, would be limited to occasions when uniformed police were in attendance.

- 4.2. In total, there were 42 patrols with police in attendance on 11 occasions. Whilst no fixed penalty notices were issued, Council enforcement officers gave 168 warnings which, with the exception of 7, were on occasions when the police were not in attendance. This resulted in the individual removing the waste.
- 4.3. To gauge the effectiveness of the initiative, the subjective opinion of persons residing and working in the target locations and Council cleansing operatives was sought both during the patrols and in the days immediately thereafter. In most instances the respondents confirmed a noticeable reduction in the amount of litter present and all, on being advised that the patrols were linked to a six month pilot, were keen for the option to continue beyond the trial period.

5. Employee Implications

- 5.1. There are no employee implications as the existing staff establishment will be utilised.

6. Financial Implications

- 6.1. There are no financial implications as this regulatory work will be met from existing budgets.

7. Other Implications

- 7.1. The initiative will contribute to the Sustainable Development Strategy through the objective 'to protect and enhance our natural environment, land and ecology'.
- 7.2. The proposal falls within the scope of routine enforcement activities and, as such, there are no additional risks.

8. Equality Impact Assessment and Consultation Arrangements

- 8.1. This report does not introduce a new policy, function or strategy or recommend a change to an existing policy, function or strategy and therefore, no impact assessment is required.
- 8.2. There was no requirement to undertake any consultation in terms of the information contained in this report. However, if the recommendation is approved, Community Resources will liaise with Education Resources to ensure that this information is conveyed to pupils attending secondary schools, their parents and carers.

Norrie Anderson
Executive Director (Community Resources)

14 September 2011

Link(s) to Council Objectives/Values/Improvement Themes

- ◆ Improve the quality of the physical environment
- ◆ Sustainable Development

Previous References

- ◆ Clean Sweep – An Initiative for Tackling Environmental Crime – Reports to Community Resources Committee on 8 April 2008, 11 November 2008 and 4 May 2010.
- ◆ Environmental Protection Act 1990, Section 87 – Offence of Leaving Litter. Report to Community Resources Committee on 7 December 2010.

List of Background Papers

None

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

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