

TITLE: Environmental Crime Enforcement Policy 2023

Committee: Operational Services Committee

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Report No: Y43

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1.0 ISSUE

- 1.1. The Environmental Crime Enforcement Policy 2018 has been reviewed and updated, so that it remains relevant with respect to current legislation and enforcement powers.

2.0 RECOMMENDATION(S)

- 2.1. Members are recommended to:

(1) Approve the Environmental Crime Enforcement Policy 2023

3.0 BACKGROUND

- 3.1. The Council's first Environmental Crime Enforcement Policy was adopted in 2018.
- 3.2. Policies need to be reviewed and updated from time to time. The recent Internal Audit on Enforcement Policy Compliance also highlighted this.
- 3.3. There have been few changes to waste and environmental crime legislation since the first policy was written. However, to reflect the way in which the council has successfully tackled the illegal burning of waste and other anti-social practices, the 2023 policy now references the use of Community Protection Warnings (CPW's) and Notices (CPN's) as a way to deal with such issues.
- 3.4. The council must use its enforcement powers in a manner which is proportionate to risk, expedient and efficient as well as consistent and fair, and this policy forms the basis of this work.

4.0 ARGUMENTS/CONCLUSION(S)

- 4.1. East Cambridgeshire's 2023 to 2027 Corporate Plan identifies the priority to reduce environmental crime across the district and secure prosecutions. A policy which reflects this focus and which allows officers to use all the enforcement tools at their disposal is key to effectively and robustly addressing environmental crime.

- 4.2. Audit review of the council's enforcement policies identified that policy owners, issue dates and review dates should be consistently recorded on policy documents and documents should be reviewed after 3 years.
- 4.3. Following adoption of the Environmental Crime Enforcement Policy an Action Plan for 2023/24 will be brought forward in November, that sets out the council's focus for Environmental Crime prevention and prosecution, for example extending publicity on the risks of persons paying unregistered individuals (often termed 'a man with a van') to dispose of their bulky household waste, the use of CCTV for fly tipping hot spot areas, targeting high litter areas etc.
- 4.4. In addition, this further report will provide an opportunity to outline the 2023 Government changes to the maximum fixed penalty charges local authorities can apply to certain environmental offences, and to seek agreement on future charging schemes.

5.0 FINANCIAL IMPLICATIONS / EQUALITY IMPACT STATEMENT / CARBON IMPACT ASSESSMENT

- 5.1. There are no additional financial implications arising from adopting this Policy.
- 5.2. Equality Impact Assessment (EIA) not required.
- 5.3. Carbon Impact Assessment (CIA) not required.

6.0 APPENDICES

Appendix 1-Environmental Crime Enforcement Policy 2023
Appendix 2 - Environmental Crime Enforcement Policy 2018

Background Documents:

Environmental Protection Act 1990

Anti-Social Behaviour Act 2003

ASB, Crime and Policing Act 2014

All associated Regulations including:

The Environmental Offences (Fixed Penalties) (England) Regulations 2017,

The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 SI 2023/770