**BIRMINGHAM CITY COUNCIL**


**REPORT OF THE ACTING DIRECTOR OF REGULATION AND ENFORCEMENT TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**


**14 SEPTEMBER 2016**
**ALL WARDS**


**FIXED PENALTY NOTICES ISSUED MAY, JUNE AND JULY 2016**


1.      Summary

1.1     The report sets out a breakdown, on a Constituency/Ward basis, of fixed penalty notices issued in the City during the periods May, June and July 2016.


2.      Recommendation

2.1     That the report be noted.


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3.     Background

3.1    The issuing of fixed penalty notices [FPN] by officers from Regulation and Enforcement is one of the means by which the problems of environmental degradation such as littering and dog fouling are being tackled within the City.

3.2    The yearly total numbers of fixed penalty notices issued are indicated below.

| Month | Fixed Penalty Notices Issued |
|---|---|
| April 2004 – Mar 2005 | 382 |
| April 2005 – Mar 2006 | 209 |
| April 2006 – Mar 2007 | 650 |
| April 2007 – Mar 2008 | 682 |
| April 2008 – Mar 2009 | 1,147 |
| April 2009 – Mar 2010 | 1,043 |
| April 2010 – Mar 2011 | 827 |
| April 2011 – Mar 2012 | 2,053 |
| April 2012 – Mar 2013 | 1,763 |
| April 2013 – Mar 2014 | 1,984 |
| April 2014 – Mar 2015 | 4,985 |
| April 2015 – Mar 2016 | 5,855 |

4.     Enforcement Considerations and Rationale

4.1    The attached appendices show on a ward and constituency basis where FPNs were issued during the months of May, June and July 2016.

4.2    By identifying both the area where the FPN is issued and the ward/area that the litterer lives this demonstrates that the anti-litter message is being spread right across the city.  By and large litter patrols are targeted to the primary and secondary retail areas of the city because there is a high level of footfall and they engage with a full cross section of the population.  Targeted areas include locations where there are excessive levels of littering, smoking areas with high levels of cigarette waste that cause blight in the city and areas where there are known problems associated with groups gathering to eat outdoors.

4.3    The number of incidences of Fixed Penalty Notices being issued reflects the fact that there is still a problem with littering on our streets.  Since the Health Act came into force there has been a decline in street cleanliness associated with cigarette waste.  This is reflected not only in these statistics but also in the environmental quality surveys undertaken by Fleet and Waste Management that record cigarette waste being the most prevalent waste upon our streets and identify it in 98% of all samples of street cleanliness.

4.4    One of the difficulties in resolving the problem of cigarette waste being deposited on the street is that the perception of many smokers is that

cigarette waste is not litter.  A change in the culture and perceptions of these smokers is critical to resolving this problem.

4.5     Anyone who receives a FPN is encouraged to talk to their co-workers, friends and families to promote the anti-litter message.


5.      Consultation

5.1     The Enforcement Policy that underpins the work identified in this report is approved by your Committee.  The policy reflects the views of the public and the business community in terms of the regulatory duties of the Council.  Any enforcement action[s] taken as a result of the contents of this report are subject to that Enforcement Policy.


6.      Implications for Resources

6.1     The work identified in this report was undertaken within the resources available to your Committee.


7.      Implications for Policy Priorities

7.1     The issue of fixed penalty notices has a direct impact on environmental degradation within the City and the Council's strategic outcome of staying safe in a clean, green city.


8.      Public Sector Equality Duty

8.1     The actions identified in this report were taken in accordance with approved enforcement policies which ensure that equalities issues have been addressed.


**ACTING DIRECTOR OF REGULATION AND ENFORCEMENT**

Background Papers: FPN records