

**OFFICER DELEGATION SCHEME
RECORD OF DECISION**

Date: 3 rd August 2021	Ref No: 537
Responsible Officer: Ben Thomson, Head of Public Protection	
Title/Subject matter: Seek Authorisation to authorise Officers to issue Fixed Penalty Notices Under section 33 Z (A) Environmental Protection Act 1990 Under The Unauthorised Deposit of Waste Regulations 2016 new powers were introduced to issue Fixed Penalty Notices into section 33 Z (A) of The Environmental Protection Act 1990. Seek Authorisation to authorise Officers to issue Fixed Penalty Notices Under this legislation.	
Budget/Strategy/Policy/Compliance:	
(i) Is the decision within an Approved Budget?	Yes
(ii) Is the decision in conflict with the council's policies, strategies or relevant service plans?	No
(iii) Does the decision amend existing or raise new policy issues?	No
Is publication still required? (see guidance)	Yes
<p>Item for decision: <i>[with reasons]</i></p> <p>Authorisation for Environmental Health Officers and Enforcement Officers to issue Fixed Penalty notices for offences of fly tipping under Section 33 Z (A) of The Environmental Protection Act 1990.</p> <p>Officers are currently authorised to enforce legislation under The Environmental Protection Act 1990.</p> <p>Cabinet approval was granted to authorise the use of Fixed Penalty Notices to deal with offences of fly tipping under section 33 of The Environmental Protection Act 1990</p> <p>Under the Unauthorised Deposit Of Waste Regulations 2016, new powers were introduced into section 33 Z (A) of The Environmental Protection Act 1990 for Authorised Officers to issue Fixed Penalty Notices for offences of fly tipping.</p> <p>The offence is that a person has knowingly deposited or allowed waste to be fly tipped on land that is not authorised to take it.</p>	

The Fixed Penalty will be used as a tool to deal with fly tipping offences and will only be issued where there is the evidence to prosecute offender for fly tipping, are considered proportionate and in line with the Council's Enforcement Policy.

A Fixed Penalty discharges liability to conviction if it is paid .

Request that the Officers named below are authorised to issue Fixed Penalty Notices until when the authorisations will be reviewed unless the legislation is revoked prior to this date.


Melanie Walsh	Unit Manager Neighbourhoods Enforcement
Lee Durrant	Fly Tipping Enforcement Officer
Lee Hunt	Fly Tipping Enforcement Officer (Awaiting start date)
Shaun Ridings	Neighbourhoods Enforcement Officer
Christine Lee	Environmental Health Officer
Iain Lingard	Environmental Health Officer
Katie Evans	Environmental Health Officer
Taylor Cowan	Apprentice Neighbourhoods Enforcement Officer
Natasha Franklin	Unit Manager Commercial Team
Robert Hall	Environmental Health Officer
Anne Spencer	Environmental Health Officer
Abena Ayisi	Environmental Health Officer
Bridget Oyekanmi	Environmental Health Officer
Margaret Waddington	Environmental Health Officer
Michael Neatis	Environmental Health Officer
Julie Brierley	Environmental Health Officer


Any other Officers authorised and empowered to Act under The Environmental Protection Act 1990.

On the 31st March 2024 the authorisations will be reviewed unless the legislation is revoked prior to this date.

Options considered: N/A

Decision: *To authorise the above named officers under the legislation listed above to facilitate the Council's responsibilities and duties under environmental crime enforcement.*

Decision made by:	Signature:	Date:
Executive Director of Operations		03/08/2021
Members Consulted (if applicable) [see note 1 below]		

Cabinet Member – Cllr Alan Quinn Approved by Cllr Peel in his absence	 Re_ FOR URGENT APPROVAL_ Op Dec	03/08/2021
Lead Member		
Opposition Spokesperson		
<p>Notes</p> <ol style="list-style-type: none"> 1. Where, in accordance with the requirements of the Officer Delegation Scheme, a Chief Officer consults with the appropriate Cabinet Member they must sign the form so as to confirm that they have been consulted and that they agree with the proposed action. The signature of the Opposition Spokesperson should be obtained if required, to confirm that he/she has been consulted. Please refer to the MO Guidance. 2. This form must not be used for urgent decisions. 3. Where there is any doubt, Corporate Directors should err on the side of caution and seek advice from the Council’s Monitoring Officer. 		