

## DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL CABINET

<b>DATE OF DECISION:</b>	<b>14 November 2017</b>
<b>DATE DECISION PUBLISHED:</b>	<b>15 November 2017</b>
<b>DATE DECISION WILL COME INTO FORCE</b> and implemented, unless the decision is called in, in accordance with section 7.25 of the Gwynedd Council Constitution.	<b>22 November 2017</b>

---

Coun. Gareth Wyn Griffith  
Cabinet Member for Highways and Municipal

---

### **SUBJECT**

Street Enforcement Fines for 2017/18

---

To approve the Street Enforcement fines (shown in the appendix) to be adopted for 2017/18 and to start 1 January, 2018.

---

### **REASON WHY THE DECISION IS NEEDED**

Please see the Officer Report

---

### **DECLARATIONS OF PERSONAL INTEREST AND ANY RELEVANT DISPENSATIONS APPROVED BY THE COUNCIL'S STANDARDS COMMITTEE**

None

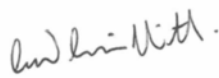
---

### **ANY CONSULTATIONS UNDERTAKEN PRIOR TO MAKING THE DECISION**

Gwynedd Council's Statutory Officers, the results of the consultations are reported in the report.

---

**DECISION NOTICE OF AN INDIVIDUAL MEMBER OF GWYNEDD COUNCIL  
CABINET – OFFICER REPORT**

Name and title of Cabinet Member/s:	Coun. Gareth Wyn Griffith Cabinet Member for Highways and Municipal
Name and title of Report Author :	Gwyn Morris Jones Head of Highways and Municipal
Date of Decision :	14 November, 2017
Signature of Cabinet Member/s :	

**Subject :** Street Enforcement Fines for 2017/18

**Recommendation for the Decision :**

To approve the Street Enforcement fines (shown in the appendix) to be adopted for 2017/18 and to start 1 January, 2018.

**Reason why Decision is needed :**

It is timely to review these fines in light of the Council's intention to trial the use of a private company to assist in issuing fines for those committing an environmental crime and there is also a need for these fines to be consistent.

**Reason and justification behind the Decision :**

The majority of the current fines have not changed since the Street Enforcement Unit was established in 2008 and the recommended fines are more consistent with those set in the other North Wales counties. It is likely that the increased fines will assist in deterring environmental crimes on our streets and public open spaces. The discount will continue to serve as an incentive.

The level set for the fines accords with that recommended in the Welsh Assembly Government Guidance on Fixed Penalty Notices (dated March 2017).

**Declarations of personal interest by any Cabinet Member consulted with and any relevant dispensations approved by the Standards Committee**

**Any consultations undertaken prior to making the decision :**

**Chief Executive**

No comments on the matter.

**Head of Finance**

Upon receiving an explanation regarding the intention, I am supportive of the level of fines recommended.

**Monitoring Officer**

The provisions listed allow the Authority to set fixed penalties for offences rather than rely on statutory figures. No further comments regarding propriety.

**Local Member/s**

Not Applicable

Appendix

Fixed Penalty Notices	Penalty 2016/17	Penalty 2017/18 (from 1/1/2018)
A - Depositing Litter (Section 87/88 Environmental Protection Act 1990) Amount of penalty if paid within 10 days Full amount of penalty	£50.00 £75.00	£75.00 £100.00
B - Failure to comply with a Community Protection Notice (Anti-social Behaviour, Crime and Policing Act 2014) Amount of penalty if paid within 10 days Full amount of penalty	- -	£75.00 £100.00
C - Low Level Fly-tipping (The Unauthorised Deposit of Waste (Fixed Penalties) (Wales) Regulations 2017) Amount of penalty if paid within 10 days Full amount of penalty	- -	*£120-£400 *£150-£400
D - Failure to produce waste documents (Section 34(5) and Regulations made under it 34(6)/34A Environmental Protection Act 1990) Amount of penalty if paid within 10 days Full amount of penalty	£180.00 £300.00	£180.00 £300.00
E - Failure to produce authority to transport waste (Section 5/5B Control of Pollution (Amendment) Act 1989) Amount of penalty if paid within 10 days Full amount of penalty	£180.00 £300.00	£180.00 £300.00
F - Unauthorised distribution of free printed matter (Schedule 3A paragraphs 1(1) & 7 Environmental Protection Act 1990) Amount of penalty if paid within 10 days Full amount of penalty	£50.00 £75.00	£75.00 £100.00
G - Failure to comply with a Waste Receptacles Notice (Section 46/47/47ZA/47ZB Environmental Protection Act 1990) Amount of penalty if paid within 10 days Full amount of penalty	£60.00 £100.00	£75.00 £100.00
H, I, J - Failure to comply with a Gwynedd Council Dog Control Order 2013 (Fouling of Land by Dogs, Exclusion, Dogs on Leads under direction) Amount of penalty if paid within 10 days Full amount of penalty	£60.00 £100.00	£75.00 £100.00
K - For Graffiti, Fly Posting & other Defacement (Section 34A-B S47 Anti-Social Behaviour Act 2003) Amount of penalty if paid within 10 days Full amount of penalty	£50.00 £75.00	£75.00 £100.00

\*Pending a decision on the amount of penalty within this range