

Template Council Motion

Council notes the contract held with ***COMPANY NAME*** to issue penalties for offences such as littering, dog fouling and Public Space Protection Order violations (**REPLACE WITH SPECIFIC OFFENCES ENFORCED IN YOUR LOCAL AUTHORITY**).

Council further notes research conducted by the Manifesto Club organisation that shows during the 2020/21 financial year **XXXX** fines were issued by ***COMPANY NAME*** in ***AREA NAME***. This generated income of **£XX,XXX** for ***COMPANY NAME*** and **£XX,XXX** for ***COUNCIL NAME*** (**REPLACE WITH SPECIFIC FIGURES FOR YOUR LOCAL AUTHORITY**).

Council recognises the harm littering, dog fouling and all types of environmental crime cause in our communities, and that enforcement is a necessary tool to tackle this.

Council notes with concern reports from across the country of enforcement companies using aggressive tactics to issue fines to vulnerable residents who in many cases have not committed an offence (for instance dropping litter by accident).

Council believes fixed penalty notices should only be issued in justified cases when a clear, intentional offence has been committed and that arbitrary targets should not be set for enforcement companies that encourage excessive and unreasonable fines being handed out.

Council notes the recommendations in Manifesto Club's 'The Corruption of Punishment 2022' report. Council therefore resolves to:

- Instruct the Chief Executive to write to the Secretary of State for **XXXX** requesting the current DEFRA guidance that litter enforcement should not be incentivised or carried out for intentional profit should be made statutory.
- Further instruct the Chief Executive to write to the Home Secretary advising that Home Office guidance on the enforcement of PSPOs and CPNs also should not be carried out for profit.
- Funnel all revenue profits that do happen to be made from enforcement back into community projects - such as community litter picking groups - and not into central budgets.
- Establish a training programme for enforcement officers so they can fulfil their role in a proportionate and targeted manner.
- Establish a transparent and easily accessible appeals system for those who feel they have been unfairly fined. This will ensure that fines are only issued when there is a clear case.
- Ensure contract agreements and operational decisions with private enforcement companies are subject to full pre-decision scrutiny by Council and that the performance of companies employed by the council is subject to ongoing scrutiny and assessment.
- Regularly publish enforcement statistics, contract details and financial arrangements to ensure maximum public transparency.

- Commit to increasing communications that focus on public education to ensure that both low-level littering and severe environmental crime occur less in the first instance.