



Equality Impact Assessment (EqIA) Template

April 2020

EqIA – Screening Questions

Proposal/Brief Title: Proposed Introduction of Fixed penalty notices (FPN's) for Fly-Tipping

Date: 07/04/2020 – updated 08/08/2023

Type of strategy, policy, project or service:

Please tick one of the following:

- Existing
- New or proposed
- Changing, update or revision
- Other (please explain)

This report was created by

Name: Gary Slee

Job Title: Enforcement Team Leader

Email address: Gary.Slee@Buckinghamshire.gov.uk

Briefly describe the aims and objectives of the proposal below:

The old authorities in Buckinghamshire did not issue fixed penalty notices against fly-tipping offences. The new Buckinghamshire Council now has full powers and therefore it is proposed that the new Council should utilise these and make arrangements to issue FPNs for fly-tipping offences at the earliest opportunity. This policy would enable that to happen. It would grant enforcement officers the ability to deal with more investigations in a more streamlined and proportionate manner.

NDM - 08/08/23 - Three years after the original implementation, the policy has been reviewed, and some wording amended to manage the public's expectations of potential enforcement for small scale matters. Additional wording has also been added to clarify the approach to fixed penalty notices.

What outcomes do we want to achieve?

1) Screening Questions

1.1 Does this proposal plan to withdraw a service, activity or presence?

No

Please explain your answer: **This is an addition to a pre-existing policy**

1.2 Does this proposal plan to reduce a service, activity or presence?

No

Please explain your answer: This proposal adds the ability to issue fixed penalty notices by enforcement officers.

1.3 Does this proposal plan to introduce, review or change a policy, strategy or procedure?

Yes

Please explain your answer: This proposal introduces the ability to issue fixed penalty notices by enforcement officers.

1.4 Does this proposal affect service users and/or customers, or the wider community?

Yes

Please explain your answer: This proposal will affect the wider community in such a way that should the offence of Fly-Tipping be committed, the offender may or may not be eligible to be dealt with using a Fixed Penalty Notice.

1.5 Does this proposal affect employees?

No

Please explain your answer: This policy would not directly or indirectly affect Buckinghamshire Council employees.

1.6 Will employees require training to deliver this proposal?

Yes

Please explain your answer: Their role in terms of issuing FPN's is set out in the policy, and the Team Leader will brief any staff that requires additional training.

1.7 Has any engagement /consultation been carried out?

Yes

Please explain your answer: Engagement has been held with key officers and elected members. There has been no formal consultation as this was not required.

NDM - 08/08/23 – additional edits will be agreed by elected members having been involved in the process thus far.

2) Are there any concerns at this stage which indicate that this proposal could have negative or unclear impacts on any of the group (s) below? (*protected characteristics). Please include any additional comments.

- A) Age - No
- B) Disability - No
- C) Gender Reassignment - No
- D) Pregnancy & maternity - No
- E) Race & Ethnicity - No
- F) Religion & Belief - No
- G) Sex - No
- H) Sexual Orientation - No
- I) Marriage & Civil Partnership - No

Additional comments (please indicate which of the protected groups you are commenting on:

Update 09/11/23 NDM: The Council will ensure enforcement is applied equally across all those who offend in relation to fly tipping, therefore disproportionate impact is not anticipated.

As a result of this screening, is an EqIA required?

(If you have answered yes to any of the screening questions or any of the group (above), a full EqIA should be undertaken)

Yes

No

Briefly explain your answer:

I have responded 'yes' to several questions and recognise that this will impact the wider community.

EqIA Screening Sign off

Officer completing this Screening Template:

Gary Slee

Date: 07/04/2020

Equality Lead: Natalie Donhou-Morley

Date: 08/04/2020 Updated - 08/08/2023

Cabinet Board sign off: (Please insert name)

Date: (Please insert Date)

Please continue to the next page to complete a full EqIA.

EqIA – Full Equality Impact Assessment

Step 1: Introduction

Policy or Service to be assessed: Fly-Tipping Enforcement Policy including the proposed introduction of Fixed penalty notices (FPN's) for Fly-Tipping

Service and lead officer: Neighbourhood Services

Officers involved in the EqIA: Gary Slee

What are you impact assessing?

Existing

New/proposed

Changing/Update revision

Other, please list:

Step 2: Scoping – what are you assessing?

What is the title of your service/strategy/policy/project?

The proposed introduction of Fixed penalty notices (FPN's) for Fly-Tipping to be incorporated into the Fly-Tipping Enforcement Policy

What is the aim of your service/strategy/policy/project? –

The old authorities in Buckinghamshire did not issue fixed penalty notices against fly-tipping offences. The new Buckinghamshire Council now has full powers and therefore it is proposed that the new Council should utilise these and make arrangements to issue FPNs for fly-tipping offences at the earliest opportunity. This policy would enable that to happen. It would grant enforcement officers the ability to deal with more investigations in a more streamlined and proportionate manner.

NDM - 08/08/23 - Three years after the original implementation, the policy has been reviewed, and some wording amended to manage the public's expectations of potential enforcement for small scale matters. Additional wording has also been added to clarify the approach to fixed penalty notices.

Who does/will it have an impact on? E.g. public, visitors, staff, members, partners? – The Public

Will there be an impact on any other functions, services or policies? If so, please provide more detail - No

Are there any potential barriers to implementing changes to your service/strategy/policy/project? - No

Step 3: Information gathering – what do you need to know about your customers and making a judgement about impacts

What data do you already have about your service users, or the people your policy or strategy will have an impact on, that is broken down by equality strand? Please also include a judgement on the potential impact:

Age: **No**

Disability: **No**

Gender re-assignment: **No**

Race: **No**

Religion or belief: **No**

Sex: **No**

Sexual orientation: **No**

Pregnancy and maternity: **No**

Marriage & Civil Partnership: **No**

Do you need any further information broken down by equality strand to inform this EqIA?

Yes

X No

If yes, list here with actions to help you gather data for the improvement plan in Step 5

N/A

Is there any potential for direct or indirect discrimination?

Yes

X No

If yes, please provide more detail on how you will monitor/overcome this

N/A

Conclusion:

The ability of the new authority to issue Fixed Penalty Notices in relation to low level fly-tipping offences would offer another proportionate tool within the suite of enforcement responses available. Based on the outcome of this EqIA, it is concluded that no further action required.

Step 4: Improvement plan – what are you going to change?

Issue	Action	Performance target (what difference will it make)	Lead Officer	Date to be Achieved
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EqIA approved by: Natalie Donhou-Morley

Date: 08/04/2020 Updated: 08/08/2023

Next review date: 08/08/2026