

## Environmental Services Annual Enforcement Report

Report from: Richard Hicks, Director of Place and Deputy Chief Executive

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### Summary

This report details the action taken by the Environmental Enforcement Team (EET) with regard to licensing issues in the year 2019/2020 and 2020/21

### Breakdown of enquiries received between April 2019 and March 2020

The team received a total of 34 public enquiries relating to licensing issues.

These are broken down into two areas;

- i. General Street Trading
- ii. Scrap Metal Dealers

### Responses and Outcomes



The team received a total of 26 public enquiries relating to general street trading.

Of these, 5 were duplicate jobs, representing 19% of the total. These are cases where the team has received more than one enquiry about the same issue.

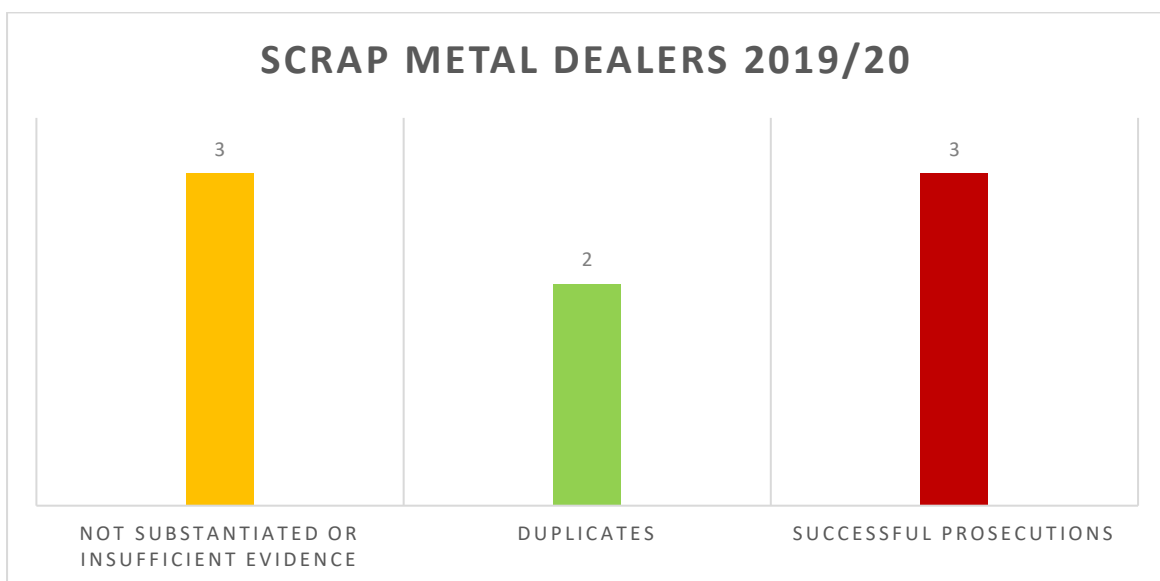
A further 8 cases were closed as unsubstantiated due to insufficient evidence. This figure represents 31% of the total.

2 cases were referred to other departments (planning/market manager). 1 case was referred to licensing, in this case the street trader had a valid a license to trade. Therefore, no offences are being committed this figure represents 4% of the total.

This left a total of 10 cases requiring enforcement action.

9 cases were resolved by verbal warning/advice and 1 resolved by way of a written warning that the team managed to secure compliance from offenders in 100% of those cases requiring enforcement without the need to serve notice.

No prosecutions were necessary.



The team received 8 public enquiries relating to scrap metal dealers.

2 cases were closed as duplicate jobs. This figure represents 25% of the total.

3 cases were closed as unsubstantiated due to insufficient evidence. This figure represents 37.5% of the total.

It has been necessary to prosecute in the remaining 3 cases, all were successful

Case 1 - £5000 fines, £200 costs, £181 Victim Surcharge

Case 2 - £2000 Fine, £220 Costs, £100 Victim Surcharge

Case 3 - £300 Fine, £150 Costs, £32 Victim Surcharge

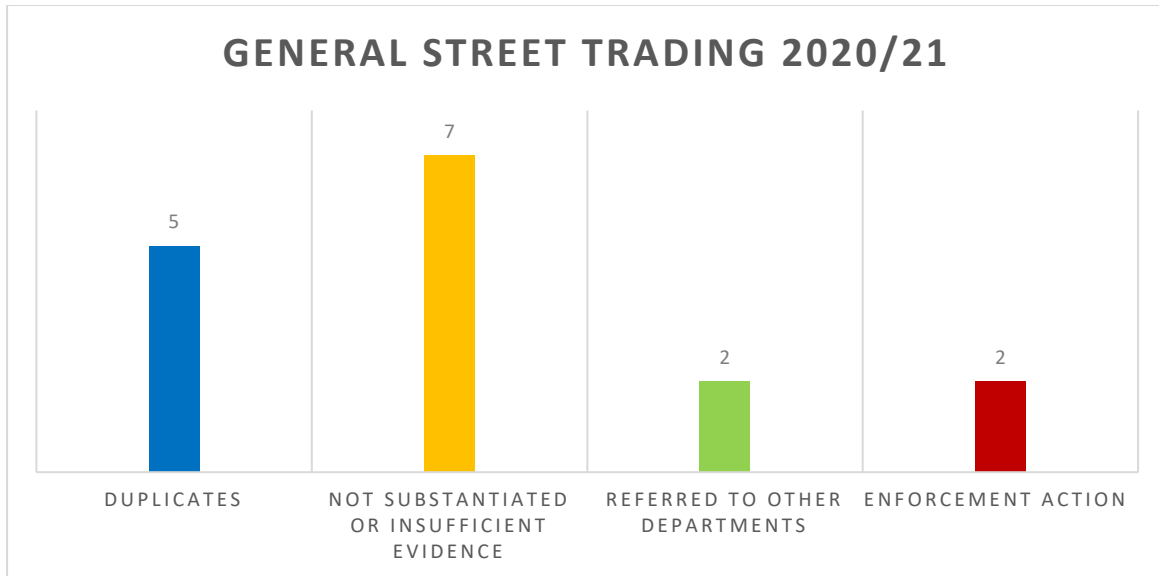
**Breakdown of enquiries received between April 2020 and March 2021**

The team received a total of 30 public enquiries relating to licensing issues.

These are broken down into two areas;

- i. General Street Trading
- ii. Scrap Metal Dealers

**Responses and Outcomes**



The team received a total of 16 public enquiries relating to general street trading.

Of these, 5 were duplicate jobs, representing 31% of the total. These are cases where the team has received more than one enquiry about the same issue.

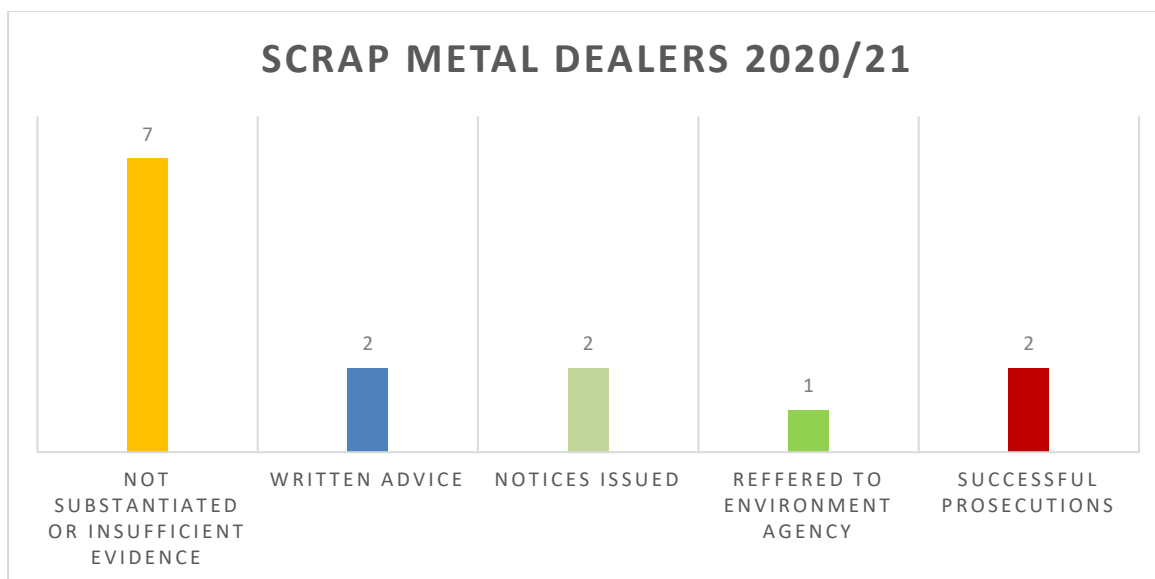
A further 7 cases were closed as unsubstantiated due to insufficient evidence. This figure represents 44% of the total.

1 case was referred to other departments (planning). 1 case was referred to licensing, in this case the street trader purchased a license to trade. Therefore, no offences are being committed this figure represents 6% of the total.

This left a total of 2 cases requiring enforcement action.

Both cases were resolved by verbal warning/advice meaning that the team managed to secure compliance from offenders in 100% of those cases requiring enforcement without the need to serve notice.

No prosecutions were necessary.



The team received 14 public enquiries relating to scrap metal dealers.

7 cases were closed as unsubstantiated due to insufficient evidence. This figure represents 50% of the total.

This left 7 cases where enforcement action was required.

2 Cases were resolved by giving written advice

2 Cases had notices issued, these were both complied with

1 case was referred to the Environment Agency

It has been necessary to prosecute in the remaining 2 cases, both prosecutions were successful: -

Case 1 – 12-month Conditional Discharge, £150 costs, £22 Victim Surcharge

Case 2 - £440 Fine, £85 costs, £40 Victim Surcharge

### **Scrap Metal/Waste Carrier Operations**

As part of the service level agreement Environmental Enforcement also take part in joint operations with Kent Police, the aim of these operations is to target illegal waste carriers and scrap metal collectors/dealers that do not have the correct licences in place. These operations have increased from once every 3 to 4 months to once every 6 weeks and have led to more offences being identified (Pending case files), it also appears to have helped increase the number of applications for licences being received and granted.

## **APPENDIX B**

During these operations Enforcement will also carry out site visits to the many scrap dealers within Medway and will often have other teams (Planning/Licensing) involved to ensure compliance with regulations, licence conditions and deal with any other issues that may be identified when on site. Generally, these sites are compliant and there has only been 1 issue identified that has been referred to the Environment Agency for further action.

37 operations were carried out in 2019/20 and 31 in 2020/21.