



<p>Name of the Officer completing the evaluation Huw Owen</p> <p>Phone no: 01873 735433 E-mail: huwowen@monmouthshire.gov.uk</p>	<p>Please give a brief description of the aims of the proposal</p> <p>To inform the Member of new legal powers introduced by The Household Waste Duty of Care (Fixed Penalties) (Wales) Regulations 2019 and consider the Council's approach in using these powers.</p>
<p>Name of Service area</p> <p>Public Protection</p>	<p>Date</p> <p>June 2019</p>

1. **Are your proposals going to affect any people or groups of people with protected characteristics?** Please explain the impact, the evidence you have used and any action you are taking below.

Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Age	Delegation of powers will have neutral impact on people or groups of people with protected characteristics.	None	N/A
Disability	None	None	N/A
Gender reassignment	None	None	N/A
Marriage or civil partnership	None	None	N/A



Protected Characteristics	Describe any positive impacts your proposal has on the protected characteristic	Describe any negative impacts your proposal has on the protected characteristic	What has been/will be done to mitigate any negative impacts or better contribute to positive impacts?
Pregnancy or maternity	None	None	N/A
Race	None	None	N/A
Religion or Belief	None	None	N/A
Sex	None	None	N/A
Sexual Orientation	None	None	N/A
Welsh Language	Fixed penalty notices will be bilingual	None	N/A
Poverty	None	None	N/A




2. Does your proposal deliver any of the well-being goals below? Please explain the impact (positive and negative) you expect, together with suggestions of how to mitigate negative impacts or better contribute to the goal. There's no need to put something in every box if it is not relevant!

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A prosperous Wales Efficient use of resources, skilled, educated people, generates wealth, provides jobs	Positive: Ensures the appropriate officers in the Council have the powers available to ensure the proper disposal of waste and help reduce fly tipping.	N/A
A resilient Wales Maintain and enhance biodiversity and ecosystems that support resilience and can adapt to change (e.g. climate change)	N/A	N/A
A healthier Wales People's physical and mental wellbeing is maximized and health impacts are understood	Positive: the new power introduced will help council officers deal with fly tipping issues, which negatively affect the community's quality of life, in a proportionate and efficient manner.	N/A
A Wales of cohesive communities Communities are attractive, viable, safe and well connected	Positive: the Fixed Penalty Notice power will help give officers the 'tools' to deal with the improper disposal of household waste and fly tipping, the reduction of which can only be positive.	An approach to the issuing of fixed penalty notices which recognizes the importance of dealing with offenders below 18 years of age differently to those that are 18 or above
A globally responsible Wales Taking account of impact on global well-being when considering local social, economic and environmental wellbeing	Positive: setting an example for developing communities which are attractive, viable and safe.	N/A
A Wales of vibrant culture and thriving Welsh language Culture, heritage and Welsh language are promoted and protected. People are encouraged to do sport, art and recreation	.N/A	N/A

Well Being Goal	Does the proposal contribute to this goal? Describe the positive and negative impacts.	What actions have been/will be taken to mitigate any negative impacts or better contribute to positive impacts?
A more equal Wales People can fulfil their potential no matter what their background or circumstances	N/A	N/A

3. How has your proposal embedded and prioritised the sustainable governance principles in its development?

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Long Term</p> <p>Balancing short term need with long term and planning for the future</p>	<p>The Report takes account of legislation and proposes delegated powers that will assist Council officers in tackling fly tipping issues in Monmouthshire. Fixed Penalty Notice levels can be re appraised if / when legislation changes.</p>	
 <p>Collaboration</p> <p>Working together with other partners to deliver objectives</p>	<p>The Fixed Penalty Notice legislation has resulted from dialogue between Local Authorities, Welsh Government, Natural Resources Wales and other stakeholders. This dialogue will continue to ensure good practice followed in their use.</p>	

Sustainable Development Principle	Does your proposal demonstrate you have met this principle? If yes, describe how. If not explain why.	Are there any additional actions to be taken to mitigate any negative impacts or better contribute to positive impacts?
 <p>Involving those with an interest and seeking their views</p> <p>Involvement</p>	<p>Legislation introduced as a result of stakeholders discussing with Welsh Government.</p>	
 <p>Putting resources into preventing problems occurring or getting worse</p> <p>Prevention</p>	<p>Provides the 'tools' for facilitating early action where small scale fly tipping instances occur and where person(s) responsible are identified. Efficient use of council resources essential in dealing with fly tipping and other environmental crime.</p>	
 <p>Considering impact on all wellbeing goals together and on other bodies</p> <p>Integration</p>		

4. Council has agreed the need to consider the impact its decisions has on the following important responsibilities: Social Justice, Corporate Parenting and Safeguarding. Are your proposals going to affect any of these responsibilities?

	Describe any positive impacts your proposal has	Describe any negative impacts your proposal has	What will you do/ have you done to mitigate any negative impacts or better contribute to positive impacts?

Social Justice	Powers enable a proportionate response / penalty for an offence.		
Safeguarding	Having the legislative powers available helps protect the public health of all age groups.		
Corporate Parenting			

5. What evidence and data has informed the development of your proposal?

- Monmouthshire County Council Corporate Enforcement Policy 2010
- The Household Waste Duty of Care (Fixed Penalties) (Wales) Regulations 2019

6. SUMMARY: As a result of completing this form, what are the main positive and negative impacts of your proposal, how have they informed/changed the development of the proposal so far and what will you be doing in future?

The Household Waste Duty of Care (Fixed Penalties) (Wales) Regulations 2019 has introduced a power to enable authorised officers of the council to issue a fixed penalty notice for a breach of household waste duty of care where it is proportionate to do so.

The report is concerned with a) agreeing the penalty notice levels b) ensuring delegated powers are given to the appropriate officers c) the approach to issuing the fixed penalties reflects current practice in the county.

The delegation of powers will help give a useful tool to officers to deal with fly tipping offences in an efficient and proportionate manner.

Close working essential between the delegated officers to ensure the powers are used in a fair, proportionate and consistent manner.

7. ACTIONS: As a result of completing this form are there any further actions you will be undertaking? Please detail them below, if applicable.

What are you going to do	When are you going to do it?	Who is responsible
a) Relevant officers to be informed of their authorisation and b) council's constitution to be amended accordingly.	a) On approval of report b) in liaison with the Council's Monitoring Officer and Head of Legal Services	Huw Owen

8. VERSION CONTROL: The Equality and Future Generations Evaluation should be used at the earliest stage, such as informally within your service, and then further developed throughout the decision making process. It is important to keep a record of this process to demonstrate how you have considered and built in equality and future generations considerations wherever possible.

Version No.	Decision making stage	Date considered	Brief description of any amendments made following consideration
1	Individual Cabinet Member Decision – County Cllr Sara Jones	26.6.19	

