

**TONBRIDGE AND MALLING BOROUGH COUNCIL**

**RECORD OF EXECUTIVE NON-KEY DECISION**

<b>Decision Taken By:</b> Cabinet Member for Transformation and Infrastructure	<b>Decision Number:</b> D240054MEM
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**Date: 29 May 2024**

<b>Decision(s) and Reason(s)</b>
<b>EXTENSION OF PILOT PROJECT – NATIONAL ENFORCEMENT SOLUTIONS</b>
Following consideration of the options, detailed in the Cabinet Member Reasons Report (attached at Annex 1), the Cabinet Member for Transformation and Infrastructure, RESOLVED that:  (1) The current pilot project for littering and fly tipping enforcement, with National Enforcement Solutions, be extended until 30 November 2024
<b>Reasons for decision:</b>  On 7 February 2024, Members of the Communities & Environment Scrutiny Select Committee reviewed options for the levels of Fixed Penalty Notices that could be issued for fly tipping & littering offences following changes to the relevant legislation. Members of the Committee recommended to Cabinet that the maximum levels for fly tipping FPNs be increased to £1,000 and for littering FPNs to £500. Cabinet subsequently endorsed this recommendation on 13 February. However, it was recognised that the current Service Level Agreement National Enforcement Solutions did not allow for the system changes required for the increased FPN levels. As such Members agreed that the increases would be made at the start of any new contract arrangement. The Council has also recently entered into an agreement for the provision of procurement support with the Mid-Kent Procurement Service, with the contract signed off at the beginning of this month. This will now allow for officer to proceed with the procurement of the new enforcement service.  As the current arrangement with NES is scheduled to end on 31 May 2024, it is necessary to extend the current pilot in order for officers to be able to develop contract documents and go out to tender for this service, adhering to procurement legislation and TMBC's own procurement policy. The contract documents will include the provision for the increased FPN levels.

Signed Cabinet Member for Transformation and Infrastructure; and Deputy Leader	M Coffin
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Signed Interim Chief Executive:	Adrian Stanfield
Date of publication:	30 May 2024

This decision will come into force and may then be implemented on the expiry of 5 working days after publication unless it is called in.