

Our ref: 12943121
25 February 2020

M Mounty
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Account reference:request-642711-93a8dcab@whatdotheyknow.com

Freedom of Information Act 2000

Dear Sir/Madam

We can confirm that the information requested is held by Birmingham City Council and have detailed below and attached the information that is being released to you.

Request

Dear Birmingham City Council,

Could you answer the following questions please?

1. Which department is responsible for enforcing against Littering?

Regulation and Enforcement and Environmental Health.

2. Do you use a private company to enforce against Littering?

Yes.

3. If you answered yes to question 2, could you confirm the name of the private company?

Kingdom Services Group Ltd.

4. if you answered yes to question 2, could you confirm the contract end date?

3rd September 2021.

5. If you answered yes to question 2, could you provide me with a copy of the contract?

Please see the attached document. Please note that this document has been redacted (blanked out) where necessary. It has been redacted on the following basis:

Regulation and Enforcement
Neighbourhoods Directorate
Birmingham City Council
PO Box 16977
Birmingham
B2 2AE

The third-party data contained in the document falls within the definition of personal data which is defined in section 1(1) of the Data Protection Act 1998 which states:

"Personal data" means data which relate to a living individual who can be identified -

(a) from those data: or
(b) from the data and other information which is in the possession of, or is likely to come into the possession of, the data controller; and includes any expression of opinion about the individual and any indication of the intentions of the data controller or any other person in respect of the individual."

The third-party data has been redacted in accordance with the first data protection principle under the Data Protection Act 1998 which states that personal data should be processed fairly. We believe that it would be unfair to process this personal data and that the individuals concerned would not reasonably expect their personal data to be processed in this manner.

6. What is the full price of a Littering Fixed Penalty Notice (FPN)?

£100

7. Do you have a discounted price for a littering FPN and if yes, how long is the discounted period? e.g. The FPN will be discounted to £50 if paid within 10 days.

No.

8. How many FPNs did you issue for littering in 2019?

5617.

9. How many FPNs issued for Littering in 2019 were paid?

4406.

10. How many FPNs issued for Littering in 2019 were prosecuted for failing to pay the FPN?

We would advise it is not an offence to fail to pay the fixed penalty notice. The fixed penalty notice was introduced as an alternative way in which a person who agreed that they committed an offence could discharge their liability to prosecution without going to Court. Where a person chooses to discharge their

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liability for the offence of littering by way of a fixed penalty then they are prosecuted for the original offence of littering based on the evidence of an Officer on the day. We would advise that 774 prosecutions for littering were finalised in 2019.

11. Could you confirm which department is responsible for enforcing against Dog Fouling?

Regulation and Enforcement and Animal Welfare.

12. Do you use a private company to enforce against Dog Fouling?

Yes.

13. If you answered yes to question 11, could you confirm the name of the private company?

Kingdom Services Group Ltd.

14. What is the legislation you enforce Dog Fouling under? e.g. Dog Control Order, fouling of land act or PSPO etc.

Public Space Protection Order.

15. How many FPNs did you issue for Dog Fouling in 2019?

4.

16. How many FPNs issued for Dog Fouling in 2019 were paid?

3.

17. How many FPNs issued for Dog Fouling in 2019 were prosecuted for failing to pay the FPN?

1.

18. Do you enforce against any other Dog Control Orders or PSPO's that are dog related?

Yes.

19. What is the full price of a Dog Fouling FPN?

£100.

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20. Do you have a discounted price for a Dog Fouling FPN and if yes, how long is the discounted period? e.g. The FPN will be discounted to £50 if paid within 10 days.

No.

Please quote the reference number 12943121 in any future communications.

If you are dissatisfied with the handling of your request, you have the right to ask for an internal review. Internal review requests should be submitted within 40 working days from the date this authority issued its initial response to your original letter and should be addressed to:

Corporate Information Governance Team
PO Box 16366
Birmingham
B2 2YY
Email: infogovernance@birmingham.gov.uk

If you are still dissatisfied with the Council's response after the internal review you have a right of appeal to the Information Commissioner at:

The Information Commissioner's Office
Wycliffe House
Water Lane
Wilmslow
Cheshire SK9 5AF.
Telephone: 01625 545 700
Website: www.ico.gov.uk

We will now close your request as of this date.

Yours faithfully

Regulation and Enforcement FOI Team

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