

NEATH PORT TALBOT COUNTY BOROUGH COUNCIL

Environment and Highways Cabinet Board

17th September 2015

Report of the Head of Streetcare

- M.Roberts

Matter for Decision

Wards Affected: All Wards

Driver and Vehicle Licensing Agency (DVLA) Audit

Purpose of Report

- 1 To update Members on an audit regarding the use of the DVLA Web Enabled Enquiry (WEE) Service by Officers in the Waste Enforcement Section.

Background

- 2 The Waste Enforcement Section make a significant contribution to the Council's strategy for enforcing legislation relating to waste issues which includes, but is not limited to: investigating incidents of fly tipping; littering and abandoned vehicles; enforcing dog fouling and Dog Control Orders. Depending on the nature of the offence, the investigations could result in a Fixed Penalty Notice (FPN) being issued or in some instances lead to prosecution of those individual(s) responsible.
- 3 During the course of their investigations, the Waste Enforcement Officers may on occasion witness or receive information regarding a waste offence where a Vehicle Registration Mark (VRM) or 'vehicle number plate' is provided as evidence and, in order to proceed with the investigation, it may be necessary to conduct a search with the DVLA to ascertain ownership of the vehicle. To meet this requirement, the Council entered into a Contract with the DVLA for the provision of WEE services in March 2012.
- 4 A requirement of the Contract is for the DVLA to carry out regular audits on the use of the WEE service in order to review the validity of the Council's requests for access to personal data and to ensure that it is

only released to those who can demonstrate a need to have it. The DVLA recently completed an audit on the use of the WEE service and subsequently confirmed by letter on the 21st July 2015 that **in all cases, the Council demonstrated a full audit trail of evidence supporting the data requests that were sampled and also demonstrated that it met the criteria for the release of information.**

Financial Impact

- 5 None, other than a proportion of the FPN's issued would not have arisen without the result of searches of information held on the DVLA WEE Service.

Equality Impact Assessment

- 6 A Screening Assessment has been undertaken to assist the Council in discharging its Public Sector Equality Duty under the Equality Act 2010. After completing the assessment it has been determined that this proposal does not require an Equalities Impact Assessment.

Workforce Impacts

- 7 None

Legal Impacts

- 8 None

Risk Management

- 9 Auditing is part of the risk management process

Consultation

- 10 Not applicable

Sustainable Development

- 11 Taking enforcement action for waste offences has a positive impact in relation to Environment and Sustainable Development and Crime and Disorder

Recommendation

- 12 The Waste Enforcement Section continues to access information held on the DVLA Web Enabled Enquiry Service in accordance with guidance contained in the Contract and in pursuance of their duties carried out on behalf of the Council.

Reason for Proposed Decision

- 13 To enable the Authority to discharge its responsibilities under the Control of Pollution Act 1974, Refuse and Disposal Amenity Act 1978, Environmental Protection Act 1990 and Clean Neighbourhoods and Environment Act 2005.

Implementation of Decision

- 14 The decision is proposed for implementation after three call in period.

List of Background Papers

- 15 Contract between the Driver and Vehicle Licensing Agency (DVLA) and Neath Port Talbot County Borough Council for Provision of a Web Enabled Enquiry (WEE) Service.

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