

# FEES AND CHARGES REPORT

## APPENDIX 4 – FIXED PENALTY NOTICES

### 1. Service Description

Fixed Penalty Notices (FPNs) are used to tackle specific problems associated with enviro- crime and anti-social behaviour. These charges are in the main set by statute and where appropriate set locally by the Council.

These charges are levied at a rate relevant to the specific incident and are used as an immediate deterrent to reduce the number of incidents in specific areas.

The vast majority of the fees are statutory and set by central government with a range between minimum and maximum full penalties.

### 2. Prior years analysis, current financial year projections

The table below illustrates the levels of income achieved in previous financial years. As you can see this is a low volume/income service with the majority of charges being statutory. Any variations in fees within our control would not generate a material surplus/deficit within this area.

Income achieved	2019-20 (£)	2020-21 (£)	2021-22 (£)	2022-23 Forecast (£)
Fixed Penalty Notices	(2,325)	(1,672)	(98)	(3,900)
Total Income	(2,325)	(1,672)	(98)	(3,900)
Budget	(3,500)	(2,600)	(2,200)	(2,700)
Income Achieved (Above)/Below Budget	1,175	928	2,102	(1,200)

### 3. Pricing

The majority of fees are set as per statutory guidelines. Where fees are non-statutory inflation at 6% has been applied.

### 4. Understanding Customers and Markets

Work is being undertaken in 2022/2023 to develop a specific strategy for environmental type crime and this will in turn help to inform the ability to recover income.

## 5. Proposed Charging

The charging schedule sets out where fees are set by statute and where fees are set by the Council.

Statutory charges will be applied in accordance with legislation.

One non-statutory fee increase relates to High Hedge complaints which has been increased by inflation 6%.

## 6. Impact on Medium Term Financial Plan (MTFP)

	2023/24 (£)	2024/25 (£)	2025/26 (£)	2026/27 (£)	2027/28 (£)
Current Budget in MTFP	(2,700)	(2,700)	(2,700)	(2,700)	(2,700)
Proposed Budget - EPA Litter Fines	(2,700)	(2,700)	(2,700)	(2,700)	(2,700)
Impact on MTFP 2022/23 Pressure/ (Saving)	-	-	-	-	-

## 7. Recommendation

Members are requested to recommend to Council the charges for 2023/2024 as set out in the schedule below.

Prosperous Communities Committee

Fixed Penalty Notices

		2022/23	Proposed Increase / (Decrease)		2023/24	VAT Amount	2023/24 Charge Inc. VAT	VAT Rate
		£	% Type	or £	£	£	£	
Depositing Litter	Fee set by Government - payable within 14 days of issue	£100.00	0.0%	£0.00	£100.00	£0.00	£100.00	OS
	Fee set by Government - discounted if paid within 10 days	£75.00	0.0%	£0.00	£75.00	£0.00	£75.00	OS
Failure to produce Waste Documents	Fee set by Government - payable within 14 days of issue	£300.00	0.0%	£0.00	£300.00	£0.00	£300.00	OS
Failure to produce Authority to Transport Waste	Fee set by Government - payable within 14 days of issue	£300.00	0.0%	£0.00	£300.00	£0.00	£300.00	OS
Unauthorised Distribution of Free Printed Matter	Fee set by Government - payable within 14 days of issue	£75.00	0.0%	£0.00	£75.00	£0.00	£75.00	OS
Failure to comply with a Domestic Waste Receptacles Notice	Fee set by Government - payable within 14 days of issue	£100.00	0.0%	£0.00	£100.00	£0.00	£100.00	OS
	Fee set by Government - discounted if paid within 10 days	£75.00	0.0%	£0.00	£75.00	£0.00	£75.00	OS
Failure to comply with an Industrial and Commercial Waste Receptacles Notice	Fee set by Government - payable within 14 days of issue	£100.00	0.0%	£0.00	£100.00	£0.00	£100.00	OS
	Fee set by Government - discounted if paid within 10 days	£75.00	0.0%	£0.00	£75.00	£0.00	£75.00	OS
Abandoning a Vehicle	Fee set by Government - payable within 14 days of issue	£200.00	0.0%	£0.00	£200.00	£0.00	£200.00	OS
Nuisance Parking	Fee set by Government - payable within 14 days of issue	£100.00	0.0%	£0.00	£100.00	£0.00	£100.00	OS
Anti Social Behaviour Crime and Policing Act 2014 - Community Protection Notice	Fee set by Government - payable within 14 days of issue	£100.00	0.0%	£0.00	£100.00	£0.00	£100.00	OS
	Fee set by Government - discounted if paid within 10 days	£75.00	0.0%	£0.00	£75.00	£0.00	£75.00	OS
Anti Social Behaviour Crime and Policing Act 2014 - Public Space Protection Order	Fee set by Government - payable within 14 days of issue	£100.00	0.0%	£0.00	£100.00	£0.00	£100.00	OS
	Fee set by Government - discounted if paid within 10 days	£75.00	0.0%	£0.00	£75.00	£0.00	£75.00	OS
Flytipping	Fee set by Government - payable within 14 days of issue	£400.00	0.0%	£0.00	£400.00	£0.00	£400.00	OS
High Hedge Fee	Fee set locally	£595.00	6.1%	£36.00	£631.00	£0.00	£631.00	OS
Fee for abandoned shopping trolleys	Fee set locally (maximum charge)	£100.00	0.0%	£0.00	£100.00	£0.00	£100.00	OS