

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.

Most of the fees are statutory and set by central government with a range between minimum and maximum penalties.

2. Prior years analysis, current financial year projections

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

Income achieved	2020/21 (£)	2021/22 (£)	2022/23 (£)	2023/24 Forecast (£)
Fixed Penalty Notices	(1,672)	(98)	(2,920)	(2,700)
Total Income	(1,672)	(98)	(2,920)	(2,700)
Budget	(2,600)	(2,200)	(2,700)	(2,700)
Income Achieved (Above)/Below Budget	928	2,102	(220)	-

3. Pricing

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

4. Understanding Customers and Markets

The Council's Environmental Crime Commitment was agreed in March 2023 and sets out how it is going to deal with various environmental offences, including those that are dealt with by Fixed Penalty Notices.

5. Proposed Charging

The charging schedule sets out where fees are set by statute and where fees are set by the Council. The fees and charges schedule has removed early payment reductions for depositing litter, fly-tipping, graffiti and household waste duty of care offences following on from the decision at Corporate Policy and Resources Committee on the 21st of September 2023.

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)

	2024/25 (£)	2025/26 (£)	2026/27 (£)	2027/28 (£)	2028/29 (£)
Current Budget in MTFP	(21,400)	(21,400)	(21,400)	(21,400)	(21,400)
Proposed Budget - Abandoned Shopping Trolleys	(18,700)	(18,700)	(18,700)	(18,700)	(18,700)
Proposed Budget - Fixed Penalty Notice fines	(2,700)	(2,700)	(2,700)	(2,700)	(2,700)
Impact on MTFP 2024/25 Pressure/ (Saving)	-	-	-	-	-

7. Recommendation

Members are requested to recommend to Council the charges for 2024/2025 as set out in the schedule below.

Prosperous Communities Committee

Fixed Penalty Notices

		2023/24	Proposed Increase / (Decrease)		2024/25	VAT Amount	2024/25 Charge Inc. VAT	VAT Rate
		£	% Type	or £	£	£	£	
Depositing Litter	Fee set by Government	£500.00	0.0%	£0.00	£500.00	£0.00	£500.00	OS
Graffiti Offence	Fee set by Government	£500.00	0.0%	£0.00	£500.00	£0.00	£500.00	OS
Household Waste Duty of Care Offence	Fee set by Government	£600.00	0.0%	£0.00	£600.00	£0.00	£600.00	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	£75.00	0.0%	£0.00	£75.00	£0.00	£75.00	OS
Fly tipping	Fee set by Government	£1,000.00	0.0%	£0.00	£1,000.00	£0.00	£1,000.00	OS
High Hedge Fee	Fee set locally	£631.00	6.0%	£38.00	£669.00	£0.00	£669.00	OS
Fee for abandoned shopping trolleys	Fee set locally (maximum charge)	£100.00	0.0%	£0.00	£100.00	£0.00	£100.00	OS