

# FEES AND CHARGES REPORT

## APPENDIX 7 – 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.

#### 1a. High Hedge Fee

The high hedge fee is in place to ensure that the Council covers its costs for the provision of this service under the [High Hedge legislation](#) (part 8 of the Anti-social Behaviour Act 2003). The Council are responsible for receiving and reviewing complaints relating to high hedges to determine whether further investigation is required or whether it is a valid complaint under the act. Where the Council cannot investigate the fee is returned to the complainant. If an investigation is required, the Council must undertake various duties to complete this, including liaison with the parties involved, measuring and assessing the hedges and completing a determination as to whether any action is required. The Council also must respond to any appeals made on their decisions. It is very clear in the legislation and guidance the persons involved in high hedge disputes should seek to resolve this between themselves prior to engaging with the Council.

### 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	2021/22 Actual (£)	2022/23 Actual (£)	2023/24 Actual (£)	2024/25 Forecast (£)
Fixed Penalty Notices Income	(98)	(2,920)	(2,685)	(2,700)
Budget	(2,200)	(2,700)	(2,700)	(2,700)
Income Achieved (Above)/Below Budget	2,102	(220)	15	-

### 3. Pricing

Most fees are set as per statutory guidelines.

The non-statutory High Hedge Fee is proposed to increase by inflation at 3.5%, rounded to the nearest pound. Please see section 1a for background information.

### 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. Committee have also increased FPNs in relation to littering, fly-tipping and graffiti and are currently in the process of reviewing these increases.

### 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 at 3.5%, rounded to the nearest pound.

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

There is no forecast impact on the MTFP, based on the previous 3 years actual income received and forecast demand for 2025/2026.

	2025/26 (£)	2026/27 (£)	2027/28 (£)	2028/29 (£)	2029/30 (£)
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 2025/26 Pressure/ (Saving)	-	-	-	-	-

### 7. Recommendation

Members are requested to recommend to Council the charges for 2025/2026 as set out in the schedule below.

## Prosperous Communities Committee

## Fixed Penalty Notices

		2024/25		Proposed Increase / (Decrease)		2025/26		2025/26 Charge Inc. VAT	VAT Rate
		£	% Type	or £	£	£	£		
Depositing Litter (Single Item)	Fee set by Government	£250.00	0.0%	£0.00	£250.00	£0.00	£250.00	OS	
	Fee set by Government - discounted if paid within 10 days	£75.00	0.0%	£0.00	£75.00	£0.00	£75.00	OS	
Depositing Litter (Larger Item)	Fee set by Government	£350.00	0.0%	£0.00	£350.00	£0.00	£350.00	OS	
	Fee set by Government - discounted if paid within 10 days	£150.00	0.0%	£0.00	£150.00	£0.00	£150.00	OS	
Graffiti Offence	Fee set by Government	£250.00	0.0%	£0.00	£250.00	£0.00	£250.00	OS	
	Fee set by Government - discounted if paid within 10 days	£75.00	0.0%	£0.00	£75.00	£0.00	£75.00	OS	
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 within 10 days	£75.00	0.0%	£0.00	£75.00	£0.00	£75.00	OS	
Fly tipping	Fee set by Government (max charge, charge determined by local matrix)	£1,000.00	0.0%	£0.00	£1,000.00	£0.00	£1,000.00	OS	
High Hedge Fee	Fee set locally	£669.00	3.4%	£23.00	£692.00	£0.00	£692.00	OS	
Fee for abandoned shopping trolleys	Fee set locally (maximum charge)	£100.00	0.0%	£0.00	£100.00	£0.00	£100.00	OS	