

Appendix C – Overview of FPNs

	<b>Offence</b>	<b>Amount</b>	<b>Who can issue FPNs</b>	<b>Section &amp; Legislation</b>	<b>Qualifying functions for which receipts may be used*</b>	<b>Recommended level of FPN</b>	<b>Amount if paid within 10 days*</b>
1	Nuisance Parking	Amount fixed at £100	Local authority authorised officers	s.6(1) Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>• functions under Refuse Disposal (Amenity) Act 1978</li> <li>• functions under sections 99-102 Road Traffic Regulation Act 1984</li> <li>• enforcement of sections 3 and 4 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>Fixed £100</b>	<b>n/a</b>
2	Abandoning a vehicle	Amount fixed at £200	Local authority authorised officers	s.2A(1) Refuse Disposal (Amenity) Act 1978	<ul style="list-style-type: none"> <li>• Functions under the Refuse Disposal (Amenity) Act 1978</li> <li>• functions under sections 99-102 Road Traffic Regulations Act 1984</li> <li>• enforcement of sections 3 and 4 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>Fixed £200</b>	<b>n/a</b>
3	Litter	Can be set at local level (between £50-£80). Default £75	Litter authority <sup>2</sup> authorised officers, including persons not directly employed by the authority such as Police Community Support Officers	s.88(1) Environmental Protection Act 1990	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>£75 (currently set at £50 in RBC)</b>	<b>£50</b>
4	Street litter control notices and litter clearing notices	Can be set at local level (between £75-110). Default £100	Principal Litter authority authorised officers	s.94A(2) Environmental Protection Act 1990	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>£100 (currently set at £50 in RBC)</b>	<b>£75</b>
5	Unauthorised distribution of	Can be set at	Principal litter	Schedule 3A, para. 7(2)	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> </ul>	<b>£75</b>	<b>£50</b>

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	litterature on designated land	local level between £50-£80). Default £75	authority authorised officers, including persons not directly employed by the authority	Environmental Protection Act 1990	<ul style="list-style-type: none"> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>		
6	Graffiti and fly-posting	Can be set at local level (between £50-£80). Default £75	Local authority <sup>2</sup> authorised officers, including persons not directly employed by the authority such as Police Community Support Officers	s. 43 Anti-social Behaviour Act 2003	<ul style="list-style-type: none"> <li>• Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>• Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>• Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>£75 (currently set at £50 in RBC)</b>	<b>£50</b>
7	Failure to produce authority (waste transfer notes)	Amount fixed at £300	Officers of Waste collection authorities/ Environment Agency	s. 5B(2) Control of Pollution (Amendment Act 1989	<ul style="list-style-type: none"> <li>• functions, including enforcement concerning offences, under section 5 Control of Pollution (Amendment) Act 1989</li> </ul>	<b>Fixed £300</b>	<b>n/a</b>
8	Failure to furnish documentation (waste carrier's licence)	Amount fixed at £300	Officers of Waste collection authorities/ Environment Agency	s. 34A(2) Environmental Protection Act 1990	<ul style="list-style-type: none"> <li>• functions including enforcement concerning offences, under Part 2 Environmental Protection Act 1990</li> </ul>	<b>Fixed £300</b>	<b>n/a</b>
9	Offences in relation	Can be	Waste	s.47ZA(2)	<ul style="list-style-type: none"> <li>• Functions, including enforcement concerning</li> </ul>	<b>£100</b>	<b>£75</b>

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	to waste receptacles	set at local level (between £75-£110). Default £100	collection authority authorised officers	Environmental Protection Act 1990	offences, under Part 2 Environmental Protection Act 1990	<b>(currently set at £50 in RBC)</b>	
10	Offences under Dog Control Orders	Can be set at local level (between £50-£80). Default £75	Authorised officers of primary and secondary authorities, including persons not directly employed by the authority such as Police Community Support Officers	s. 59(2) Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>Litter-related functions under Part 4, Environmental Protection Act 1990</li> <li>Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003</li> <li>Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005</li> </ul>	<b>£50 (currently set at £50 in RBC)</b>	<b>£75</b>
11	Failure to nominate key-holder (within an alarm notification area) or to notify local authority in writing of nominated key-holder's details	Can be set at local level (between £50-£80). Default £75	Local authority authorised officers, including persons not directly employed by the authority	s. 73(2) Clean Neighbourhoods and Environment Act 2005	<ul style="list-style-type: none"> <li>Functions under Chapter 1, Part 7 Clean Neighbourhoods and Environment Act 2005</li> <li>functions under the Noise Act 1996</li> <li>functions under sections 79 to 82 of the Environmental Protection Act 1990, in connection with statutory nuisances and noise</li> </ul>	<b>Dealt with by Regulatory Services</b>	
12	Noise from dwellings	Can be set at local level (between	Local authority officers	s. 8 noise Act 1996	<ul style="list-style-type: none"> <li>functions under the Noise Act 1996</li> <li>functions under Chapter 1, Part 7 Clean Neighbourhoods and Environment Act 2005</li> <li>functions under sections under 79 to 82 of the</li> </ul>	<b>Dealt with by Regulatory Services</b>	

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	Noise from licensed premises	£75-110). Default £100  Amount fixed at £500	Local authority officers		Environmental Protection Act 1990, in connection with statutory nuisances and noise.		

\* The CNEA introduced a power for authorities to offer a discount for early payment of a fixed penalty. There is a standard period for payment of fixed penalties, set in the legislation at 14 days. Once a FPN has been issued, an authority cannot prosecute for the alleged offence if the fixed penalty is paid within this period and this must be stated on the notice itself. For this reason, the period during which a discount for early payment is offered, must be less than 14 days and to avoid confusion, guidance recommends that it should not be more than 10 days.