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Fixed Penalty Notices

Guidance on the Fixed Penalty Notice Provisions
of the Environmental Protection Act 1990, the
Clean Neighbourhoods and Environment Act 2005
and other legislation

This guidance is part of a series on legislation & powers affected by the the Clean Neighbourhoods and Environment Act 2005.

Guidance on the following topics is also available;

- Nuisance and Abandoned Vehicles
- Litter and Refuse
- Defacement Removal Notices
- Waste
- Dog Control Orders
- Noise
- Abandoned Shopping and Luggage trolleys
- Statutory Nuisance from Insects and Artificial Light

All parts of the guidance can be downloaded from www.defra.gov.uk/environment/localenv/legislation/cnea/index.htm

or alternatively further copies are available from:

Defra Publications

Admail 6000

London

SW1A 2XX

Tel: 08459 556000

You may also find it helpful to refer to existing information and guidance on legislation relating to local environmental quality and anti-social behaviour.

This is available from the following websites:

www.defra.gov.uk/environment/localenv/index.htm

www.cleanersafergreener.gov.uk

www.together.gov.uk

Overview

1 This guidance covers fixed penalty notices issued for environmental offences under the Environmental Protection Act 1990, the Anti-social Behaviour Act 2003 and a number of other pieces of legislation, as amended and extended by the Clean Neighbourhoods and Environment Act 2005. The latter Act introduces significant changes to the fixed penalty notice regime. It widens, in some cases, the scope of persons or bodies that may issue fixed penalties. It also allows, again in some cases, for the fixed penalty amount to be specified at the local level. Furthermore, discounts may also be offered for early payment of fixed penalties.

2 The guidance also covers the detailed implementing provisions contained in the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2006 and the Environmental Offences (Use of Fixed Penalty Receipts) Regulations 2006. An index of fixed penalty provisions is provided at Annex A. Copies of the Regulations can be found at: www.defra.gov.uk/environment/localenv

General Principles

3 Fixed penalties can provide enforcement agencies with an effective and visible way of responding to low-level environmental crimes, and the Government wishes to encourage their use by local authorities and other agencies. Experience has shown that the public generally welcomes the use of fixed penalties, provided that they are issued sensibly, enforced even-handedly and are seen as a response to genuine problems. It is important that the following principles are followed.

Enforcement Strategy

4 Fixed penalties should be part of a wider enforcement strategy, designed to address all aspects of environmental crime. This should be used to ensure that resources are focused on priority areas and that an appropriate balance is struck between resources devoted to fixed penalties and those spent on prosecutions, both for non-payment of fixed penalties and for more serious incidents. The strategy should also be used to develop standardised fixed penalty procedures to be followed by all those with powers to issue fixed penalties, with guidance on the circumstances in which a fixed

penalty notice should be issued. It is good practice to consult the public on the contents of an enforcement strategy, particularly if fixed penalty notices have not previously been used, or used widely, and make the adopted strategy available to the public by publishing it on the website of the authority.

5 Strong inter-agency partnerships will be central to any successful enforcement strategy. Authorities should consult with any other agency dealing with enforcement in the area and agree working protocols. In particular local authorities must give consideration to their capacity to deal with fixed penalties issued on their behalf by Police Community Support Officers and persons accredited under Community Safety Accreditation Schemes, both under the Police Reform Act 2002.

Non-Payment of Fixed Penalties

6 Fixed penalty notices may be issued when an enforcing officer believes that an offence has been committed, and give the putative offender an opportunity to avoid prosecution by payment of the penalty.

It is essential, therefore, that they are only issued where there is adequate evidence to support a prosecution if a notice is not paid, and that unpaid notices are followed up. Failure to pursue unpaid notices through the courts will discredit the use of fixed penalties in the locality, and will lead to declining rates of payment. The need to pursue unpaid fixed penalty notices must be considered in the development of an enforcement strategy and the necessary resources made available. It is not acceptable for an authority to decide after a fixed penalty notice has been issued that it does not have the resources to prosecute if the notice is unpaid.

Appropriate use of fixed penalties for litter and waste offences

7 The availability and level of fixed penalties for environmental crimes reflect the severity of the offences, and it is important that the correct fixed penalty is used for an offence. In particular litter fixed penalties should not normally be used to deal with illegal waste or fly-tipping offences; due to the severity

and impact on the environment those responsible should normally be prosecuted (and upon conviction, punished) in the courts. The only exception is for small-scale fly-tipping incidents, such as disposing illegally of a single plastic sack of rubbish, where a litter fixed penalty may be appropriate for a first offence. However, litter fixed penalty notices should not be issued for waste left out at the wrong time. Fixed penalties for this have been specifically introduced under the new section 47ZA(1) and (2) of the Environmental Protection Act 1990, and these should be used rather than litter fixed penalty notices where a business or householder has failed to meet the requirements of a local authority notice in relation to the placement of waste.





Starting to issue fixed penalty notices

8 It is recommended that authorities considering issuing fixed penalty notices for the first time allow a well-publicised lead-in period before any notices are issued. This should help ensure public support for fixed penalties. During this time, when an offence is committed, enforcement officers should not issue any fixed penalties; if the offence is serious they should report the offender with a view to prosecution; in other cases they should issue a warning that in future similar offences may lead to fixed penalty notices (or prosecution). This will help raise awareness within the community and should help manage the public's perception.

9 Authorities should also develop a communication strategy designed to raise awareness and also to keep public expectation realistic. Such a strategy could make use of local media, and authorities with websites could publish enforcement statements, details of the legislation and what powers the authority intends to use, and explain why.

Officers and members of the authority could get out into the community by, for example, visiting schools, colleges and community meetings, and leaflets could be distributed to households.

Parish Councils

10 The points above apply equally to parish councils that decide to issue fixed penalty notices. In particular, they must ensure that they have adequate resources to pursue unpaid fixed penalties.

Training

11 Authorities are advised to ensure that any staff involved in enforcement, including street-scene and management personnel, is adequately trained before fixed penalties are issued following the introduction of the new fixed penalty provisions. Comprehensive training courses have been developed. For further details please see: www.defra.gov.uk/environment/localenv

Detailed Guidance

Offences for which fixed penalties are available

12 The table below lists the fixed penalty notice issuing powers covered by this guidance, including who can issue fixed penalty notices for each offence and the amount (or where appropriate, the default amount) of each fixed penalty.

Section and legislation ¹	Description of offence	Who can issue FPNs	Amount
s. 6(1) Clean Neighbourhoods and Environment Act 2005	Nuisance parking	Local authority authorised officers	Amount fixed at £100.
s. 2A(1) Refuse Disposal (Amenity) Act 1978	Abandoning a vehicle	Local authority authorised officers	Amount fixed at £200
s. 88(1) Environmental Protection Act 1990	Litter	Litter authority ² authorised officers, including persons not directly employed by the authority (see paragraph 13 below); Police Community Support Officers and other persons accredited under Community Accreditation Schemes under the Police Reform Act 2002	Can be set at local level (between (£50-£80). Default £75
s. 94A(2) Environmental Protection Act 1990	Street litter control notices and litter clearing notices	Principal litter authority authorised officers	Can be set at local level (between £75-£110). Default £100

¹ Where appropriate, this refers to legislation as amended by the Clean Neighbourhoods and Environment Act 2005

² Includes parish councils and the Broads Authority; also, National Park authorities

Table 1 continued

Section and legislation ¹	Description of offence	Who can issue FPNs	Amount
Schedule 3A, para.7(2) Environmental Protection Act 1990	Unauthorised distribution of literature on designated land	Principal litter authority authorised officers, including persons not directly employed by the authority (see paragraph 13 below)	Can be set at local level (between £50-£80). Default £75
s. 43 Anti-social Behaviour Act 2003	Graffiti and fly-posting	Local authority ³ authorised officers, including persons not directly employed by the authority (see paragraph 13 below); Police Community Support Officers and other persons accredited under Community Accreditation Schemes under the Police Reform Act 2002	Can be set at local level (between £50-£80). Default £75
s. 5B(2) Control of Pollution (Amendment) Act 1989	Failure to produce authority (waste carrier's licence)	Waste collection authorities and Environment Agency (acting through their officers)	Amount fixed at £300

³ Includes parish councils and the Broads Authority, but not National Park authorities

Table 1 continued

Section and legislation ¹	Description of offence	Who can issue FPNs	Amount
s. 34A(2) Environmental Protection Act 1990	Failure to furnish documentation (waste transfer notes)	Waste collection authorities and Environment Agency (acting through their officers)	Amount fixed at £300
s. 47ZA(2) Environmental Protection Act 1990	Offences in relation to waste receptacles	Waste collection authority authorised officers	Can be set at local level (between £75-£110). Default £100
s. 59(2) Clean Neighbourhoods and Environment Act 2005	Offences under Dog Control Orders	Authorised officers of primary and secondary authorities, including persons not directly employed by the authority (see paragraph 13 below); Police Community Support Officers and other persons accredited under Community Accreditation Schemes under the Police Reform Act 2002	Can be set at local level (between £50-£80). Default £75

Table 1 continued

Section and legislation ¹	Description of offence	Who can issue FPNs	Amount
s. 73(2) Clean Neighbourhoods and Environment Act 2005	Failure to nominate key-holder (within an alarm notification area) or to notify local authority in writing of nominated key-holder's details	Local authority authorised officers, including persons not directly employed by the authority (see paragraph 13 below)	Can be set at local level (between £50-£80). Default £75
s. 8 Noise Act 1996	Noise from dwellings Noise from licensed premises	Local authority officers Local authority officers	Can be set at local level (between £75-£110). Default £100 Amount fixed at £500

Who can issue fixed penalty notices?

13 Authorised officers of various **local authorities** (the authorities are variously described in the relevant statutes: 'litter authorities', etc.) can issue any of the fixed penalties listed above. However, the definition of the term 'authorised officer' varies according to the particular provision in question:

- In all cases, it includes an employee of the local authority authorised in writing to issue fixed penalties on behalf of that authority;
- for litter, Dog Control Order, graffiti, flyposting, unauthorised distribution of free literature and alarm notification area offences, it also includes other persons with whom the authority has entered into arrangements (and their employees); in each case the person/employee must be individually authorised in writing by the local authority to issue fixed penalties on its behalf. This provision enables local authorities to authorise people, i.e. contractors, to work on their behalf but who are not directly employed by them to issue fixed penalty notices.

14 Where local authorities authorise contractors they should ensure that background checks are carried out to determine their suitability and capability. It is important that contractors receive adequate training and have a full understanding of any locally set procedures or policies before they begin issuing fixed penalties.

15 Employees of **parish councils** and other persons (including their employees) authorised by a parish council can issue fixed penalties for litter, graffiti, fly posting and Dog Control Order offences. However, the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2006 (at regulation 6) require anyone authorised by a parish council to have first successfully completed an approved course by a training provider recognised by the Secretary of State. It is also important that background checks are carried out and that anyone authorised to issue fixed penalties on behalf of parish councils is made aware of policies and procedures (but see previous paragraph). Parish councillors should not be authorised under this provision.





Details of the training course may be found at: www.defra.gov.uk/environment/localenv

16 **The Environment Agency** is able to issue fixed penalty notices under the following powers:

- section 5B Control of Pollution (Amendment) Act 1989 – for failure to produce waste transfer notes; and
- section 34A Environmental Protection Act 1990 – failure to produce waste carrier registration details.

17 **National Park Authorities** have the power of 'litter authorities' in respect of their area (under Schedule 9 to the Environment Act 1995) and can authorise officers to issue fixed penalties for litter offences on the same basis as authorities defined as litter authorities under section 88(9) of the EPA 1990 (see paragraphs 13 and 14 above). The fixed penalty amount may be specified by the 'principal litter authority/ies' in that area (which do not include National Park authorities) (see paragraph 25), though the National Park may decide what amount the discount for early payment shall be (see paragraph 28).

18 **The Broads Authority** has a slightly different status to other national park authorities (it is a litter authority in its own right under s.88(9) of the EPA1990, but not a principal litter authority), and can also issue fixed penalties for graffiti and fly posting offences.

19 Under the Police Reform Act 2002, Chief Police officers may confer on **Police Community Support Officers (PCSOs), and persons accredited under community safety accreditation schemes**, a range of powers; these are set out in Schedules 4 & 5 to that Act (for PCSOs and accredited persons respectively). This list includes the powers of an authorised officer to issue Fixed Penalty Notices for environmental offences including litter (n.b. for the section 87 offence only), Dog Control Orders, graffiti and flyposting (see Table 1). These powers may be exercised on behalf of local authorities, parish councils and, in respect of litter offences only, National Park Authorities (but see paragraph 17) and the Broads Authority.

20 **Receipts for fixed penalty notices issued by PCSOs and accredited**

persons are retained by the authority on whose behalf fixed penalty notices were issued.

21 Authorities interested in making use of the potential extra resource provided by PCSOs and accredited persons should contact the Chief Police officer for their area to discuss the matter further. The decision on which powers to confer is currently an operational one for the Chief Officer although there are plans to standardise in the near future the powers available to PCSOs to include all their environmental powers. If PCSOs and/or accredited persons are made available, authorities must:

- process any fixed penalties issued, including prosecuting unpaid fixed penalties;
- inform PCSOs and accredited persons what the fixed penalty amount is in the local authority's area for each of the offences for which they have powers and make available appropriate fixed penalty notices;
- in relation to Dog Control Orders made by a parish council, the fixed

penalty amount determined by that parish council;

- liaise with the police force to ensure PCSOs and accredited persons' training ensures full understanding of the authority's boundary area, enforcement policies and procedures, including any set out in enforcement strategies etc.

Fixed Penalty Amounts

22 For eight offences (listed in Table 1 above) the various Acts enable a local authority to specify the amount of a fixed penalty. If an authority does not make use of this power, the Acts provide that a standard default amount (of either £75 or £100) applies. Parish Councils may make use of this power in relation to dog control orders that they make.

23 When a local authority decides to set its own fixed penalty amounts, these must fall within the ranges set out in the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2006 (regulation 2). The ranges are from £50 to £80 for those offences with a default amount of £75 and from £75 to £110 for offences with a default amount of £100.

In determining the level for a fixed penalty, local authorities will need to take into account the deterrent effect of different levels and also peoples' readiness to pay and the levels of fines imposed locally for the relevant offence in magistrates' courts. Fixed penalties that are too high for local conditions, and lead to substantial non-payment rates, will be counter-productive, as will penalties that are higher than the likely fine in the event of non-payment.

24 It is strongly recommended that local authorities consult the police when setting penalty levels. Similarly, a parish council setting fixed penalty levels in relation to dog control areas should consult its relevant higher local authority.

25 Fixed penalties issued by parish councils (except in respect of their own Dog Control Orders), PCSOs and National Park authorities must use the amount specified by the local authority in whose area they are issued. Local authorities will therefore need to ensure that any persons issuing fixed penalties in their area are aware of the specified amounts.

Discounts for Early Payment

26 The Clean Neighbourhoods and Environment Act 2005 introduces a power for authorities to offer a discount for early payment of a fixed penalty. This power is available for all the offences listed in Table 1, with the exception of noise from licensed premises, and may be exercised by all authorities authorised to issue fixed penalties.

27 There is a standard period for payment of fixed penalties, set in the legislation at 14 days. Once a fixed penalty notice 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, it is recommended that it should not be more than 10 days.**

28 In addition, the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2006 (regulation 3) specify amounts below which the discounted penalties may not fall.

The amounts are:

- For offences with a default rate of £75, **£50**;
- For offences with a default rate of £100, **£60**;
- For offences with a default rate of £200, **£120**;
- For offences with a default rate of £300, **£180**

Fixed Penalty Notice Forms

29 Although under the legislation the Secretary of State has the power to prescribe the forms to be used for fixed penalty notices, she does not intend to make use of this power at the present time. Authorities are not, therefore, required to use a particular form of notice, and the forms previously prescribed for litter and dog fouling fixed penalty notices have been repealed. However, it is a legal requirement that any fixed penalty notice:

- gives reasonable details about the circumstances of the alleged offence;
- states that no proceeding for the offence will be instituted if the fixed penalty is paid within 14 days;

- states the amount of the fixed penalty;
- gives details of how the fixed penalty can be paid.

30 An example fixed penalty form can be found at the web address given below. Authorities should tailor the form to meet their own requirements. www.defra.gov.uk/environment/localenv

31 Where an authority provides for a discount for early payment of a fixed penalty, the notice will need to provide sufficient details. Notices should also state prominently that non-payment is likely to result in prosecution for the alleged offence, and the maximum fine payable on conviction.

Failure of alleged offenders to give correct details

32 Most fixed penalty provisions for environmental offences have been amended to provide those authorised to issue fixed penalties with the power to require the name and address of a person they wish to issue with a fixed penalty notice. In such cases, failing to supply these details, or giving a false name and address to an authorised officer is an offence for which a



maximum fine of level 3 on the standard scale may be given upon conviction. It is suggested that authorities agree a working protocol with their police authority, be it through their enforcement strategy, CDRP or both, so that police officers or Police Community Support Officers may assist in situations where an alleged offender refuses to supply details. If designated with the power to detain, a Police Community Support Officer may require a person to wait with them for a period of up to 30 minutes, pending the arrival of a police constable, where the individual refuses to provide details of name and address or where they suspect that the information provided is false. Waste collection authorities and the Environment Agency have powers under section 108 of the Environment Act 1995 to request information to assist with fly-tipping investigations. Failure to supply the information is also an offence for which a level 3 fine may be given.

Repeat offenders

33 Fixed penalties are not appropriate for persistent offending. Authorities should seek to prosecute repeat offenders through the courts.

Issuing fixed penalties on private land

34 Authorised officers are required to gain the permission of the landowner or occupier before they can enter private land. Upon consented entry fixed penalties may be issued. This also applies in respect of privately-owned land to which the public are entitled to have access. Waste collection authorities have powers under section 108 of the Environment Act 1995 in certain circumstances (see section 108 for further details) to enter private land to carry out fly-tipping investigations.

Issue of fixed penalties to juveniles

35 Separate guidance on this is being issued. The guidance can be found on Defra's Local Environmental Quality webpage: www.defra.gov.uk/environment/localenv



Fixed penalty receipts

36 The various Acts under which fixed penalties are issued enable local authorities to use their fixed penalty receipts only to help meet the cost of certain specified functions. However, where a local authority is categorised as 'excellent' or 'good' under the Comprehensive Performance Assessment, and is subsequently categorised accordingly by Order made by the Secretary of State, the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2006 (regulation 4) or the Environmental Offences (Use of Fixed Penalty Receipts) Regulations 2006 (regulation 2) allow that authority to spend the penalty receipts on any of its functions.

Where a high-performing authority falls out of the 'excellent' or 'good' category the Regulations (regulation 5 of the former; regulation 3 of the latter) allow it to continue spending its receipts on any function for the duration of one year.

37 Specified functions in relation to different offences are listed below in Table 2.

Table 2

Description of fixed penalty offence	Where are the functions specified in the legislation?	Qualifying Functions for which receipts may be used
Nuisance parking	s.8(2) CNEA	<ul style="list-style-type: none"> • functions under Refuse Disposal (Amenity) Act 1978 • functions under sections 99–102 Road Traffic Regulation Act 1984 • enforcement of sections 3 and 4 Clean Neighbourhoods and Environment Act 2005
Abandoning a vehicle	s.2C(2) Refuse Disposal (Amenity) Act 1978 (see s.10 CNEA)	<ul style="list-style-type: none"> • functions under the Refuse Disposal (Amenity) Act 1978 • functions under sections 99–102 Road Traffic Regulation Act 1984 • enforcement of sections 3 and 4 Clean Neighbourhoods and Environment Act 2005
Litter Litter Clearing Notices Street Litter Control Notices Unauthorised distribution of literature Graffiti and fly-posting Dog Control Orders	s.96 CNEA	<ul style="list-style-type: none"> • Litter-related functions under Part 4, Environmental Protection Act 1990 • Graffiti and fly-posting functions under section 43 Anti-social Behaviour Act 2003) • Dog Control Orders functions under Part 1, Chapter 6 Clean Neighbourhoods and Environment Act 2005

Table 2 continued

Description of fixed penalty offence	Where are the functions specified in the legislation?	Qualifying Functions for which receipts may be used
Failure to produce authority (waste transfer notes)	s.5C(3) Control of Pollution (Amendment) Act 1989 (see s.38 CNEA)	<ul style="list-style-type: none"> • functions, including enforcement concerning offences, under section 5 Control of Pollution (Amendment) Act 1989)
Failure to furnish documentation (waste carrier's licence) Waste receptacles	s.73A Environmental Protection Act 1990 (relates to both s.34A and 47ZA EPA 1990) (see s.52 CNEA)	<ul style="list-style-type: none"> • functions, including enforcement concerning offences, under Part 2 Environmental Protection Act 1990
Failure to nominate key-holder (within an alarm notification area)	s.75(2) CNEA	<ul style="list-style-type: none"> • functions under Chapter 1, Part 7 Clean Neighbourhoods and Environment Act 2005 • functions under the Noise Act 1996 • functions under sections 79 to 82 of the Environmental Protection Act 1990, in connection with statutory nuisances and noise
Noise from domestic premises Noise from licensed premises	s.9(4A) Noise Act 1996) (see s.83 CNEA)	<ul style="list-style-type: none"> • functions under the Noise Act 1996 • functions under Chapter 1, Part 7 Clean Neighbourhoods and Environment Act 2005 • functions under sections under 79 to 82 of the Environmental Protection Act 1990, in connection with statutory nuisances and noise

38 The Environmental Offences (Use of Fixed Penalty Receipts) Regulations 2006 (regulation 4) provide for similar arrangements for parish councils, allowing them to use fixed penalty receipts to help meet the cost of their functions in relation to litter, graffiti, fly-posting and Dog Control Order offences. However, parish councils that have been approved as Quality parish councils may spend their receipts on any function (regulation 4(2)(d)), and, if a parish council loses this approval, transitional arrangements are provided for the duration of one year (regulation 5).

39 The Environment Agency must pay all its fixed penalty receipts to the Secretary of State.

40 National Park Authorities may retain their fixed penalty receipts, which can be used only for their litter enforcement functions under section 88 of the Environmental Protection Act 1990. The Broads Authority may retain its fixed penalty receipts, which can only be used for its functions under section 88 of the Environmental Protection Act 1990, or its functions under section 43 of the Anti-social Behaviour Act 2003.

Fixed Penalty Notice Returns

41 The various statutes oblige local authorities, parish councils, National Park authorities and the Broads Authority to supply the Secretary of State with such details of their fixed penalty receipts required. Furthermore, because PCSOs and persons accredited by Chief Police officers issue environmental fixed penalty notices on behalf of certain authorities, those authorities' fixed penalty figures must include those issued by PCSOs and accredited persons. The Environmental Offences (Use of Fixed Penalty Receipts) Regulations 2006 (regulation 4(3)) extend the same requirement to parish councils.

Annex A: Index of Legislation for Fixed Penalty Notices

Description of offence	Act	Power to Issue	Who can issue them
Nuisance parking	Clean Neighbourhoods and Environment Act 2005	s.6(1)	s.6.(1), 9(2)
Abandoning a vehicle	Refuse Disposal (Amenity) Act 1978	s.2A(1)	s.2A(1) & (14)
Litter	Environmental Protection Act 1990	s.88(1)	s.88(1),(9) & (10)
Street litter control notices and litter clearing notices	Environmental Protection Act 1990	s.94A(2)	s.94A(2) & (7)
Unauthorised distribution of literature on designated land	Environmental Protection Act 1990	Schedule 3A, para.7(2)	Schedule 3A, para.7(2) & para.8
Failure to produce waste transfer notes	Control of Pollution (Amendment) Act 1989	s.5B(2)	s.5B(2)
Failure to produce waste carrier registration documents	Environmental Protection Act 1990	s.34A(2)	s.34A(2) & (14)
Waste receptacles	Environmental Protection Act 1990	s.47ZA(2)	s.47ZA(2) & (10)

Amount	Discount	Supply of name/ address details	Use of Receipts
s.6(8)	s.6(10)	s.7	s.8
s.2A(8)	s.2A(10)	s.2B	s.2C
s.88(6A)	s.88(7)	s.88(8A)-(8C)	s.96 & 97 CNEA
s.94A(4)	s.94A(5)	N/A	s.96 CNEA
Schedule 3A, para.7(4)	Schedule 3A, para.7(5)	Schedule 3A, para.7(7)-(9)	s.96 CNEA
s.5B(9)	s.5B(11)	N/A	s.5C
s.34A(9)	s.34A(11)	N/A	s.73A
s.47ZB(2)	s.47ZB(3)	N/A	s.73A

Annex A continued

Description of offence	Act	Power to Issue	Who can issue them
Dog Control Orders	Clean Neighbourhoods and Environment Act 2005	s.59(2)	s.59(2),(11) & s.58
Failure to nominate key-holder (within alarm notification area) or to notify local authority in writing of nominated key-holder's details	Clean Neighbourhoods and Environment Act 2005	s.73(2)	s.73(2) & (11)
Noise from premises (domestic and licensed)	Noise Act 1996	s.8(1)	s.8(1)
Graffiti and fly-posting	Anti-social Behaviour Act 2003	s.43(1)	s.43(1) & s.47(1)

Amount	Discount	Supply of name/ address details	Use of Receipts
s.60(1)	s.60(3)	s.61	s.96 & 97 CNEA
s.74(2)	s.74(3)	s.76	s.75
s.8A(2) & (2A)	s.8A(3) – no discount for licensed premises	s.8B	s.9
s.43A(1)	s.43A(3)	s.43B	s.96 & 97 CNEA

