

APPENDIX A: FIXED PENALTY NOTICES APPLICABLE UNDER THE CLEANER NEIGHBOURHOOD AND ENVIRONMENT ACT 2005 (CNEA 2005)

It is proposed under the Environmental Enforcement FPNs contract to operate at the following fine levels for each individual offence.

Description of Offence	Act	Section of Act	Allowable Penalty	Level Set
Littering	Environmental Protection Act 1990, as amended by section 19 of the CNEA 2005	87/88	Locally set between £50 and £150 (default is £100)	£100
Unauthorised distribution of free printed matter on designated land	Environmental Protection Act 1990, as amended by section 23 of the CNEA 2005	Schedule 3A, para 7(2)	Locally set between £50 and £150	£100
Graffiti and Flyposting	Anti-Social Behaviour Act 2003, as amended by section 28 of the CNEA 2005	43	Locally set between £50 and £150	£100
Failure to comply with a waste receptacle notice	Environmental Protection Act 1990, as amended by section 48 of the CNEA 2005	46/47/47ZA/47ZB	Locally set between £75 and £100	£100
Nuisance parking	CNEA 2005	s.6(1)	£100	£100
Abandoning a vehicle	Refuse Disposal (Amenity) Act 1978, as amended by section 10 of	Schedule 2A (1)	£200	£200

Description of Offence	Act	Section of Act	Allowable Penalty	Level Set
	the CNEA 2005			
Failure to furnish documentation (waste carrier's licence)	Environmental Protection Act 1990, as amended by section 45 of the CNEA 2005	s.34A(2)	£300	£300
Failure to produce authority (waste transfer notes)	Control of Pollution (Amendment) Act 1989, as amended by section 38 of the CNEA 2005	s.5B (2)	£300	£300
Unlicensed A Board	Highways		£80	£80
Failing to comply with a PSPO	Anti Social Behaviour, Crime and Policing Act 2014	Section 63/67/68	Up to £100	£100
Failure to comply with a CPN	Anti Social Behaviour, Crime and Policing Act 2014	Section 48	Up to £100	£100
Wilful obstruction of the highway	Highways Act 1980	Section 137 (1)_	£100	£100
Smoking in smoke free premises or work vehicles	Health Act 2006	Section 7	£50	£50
Failure to secure lighting or other markings on a	Highways Act 1980	Section 139 (4) (a)	£100	£100

Description of Offence	Act	Section of Act	Allowable Penalty	Level Set
builders skip				
Failure to secure marking of builders skip with name and address	Highways Act 1980	Section 139 (4) (b)	£100	£100
Failure to secure removal of builders skip	Highways Act 1980	Section 139 (4) (C)	£100	£100
Contravention of condition of street trading licence or temporary licence	London Local Authorities Act 2004	34(1)	£100	£100
Making false statement in connection with application for street trading licence or temporary licence	London Local Authorities Act 2004	34(2)	£125	£125
Resisting or obstructing authorised officer	London Local Authorities Act 2004	34(3)	£250	£250
Failure to produce street trading licence on demand	London Local Authorities Act 2004	34(4)	£100	£100
Unlicensed street trading	London Local Authorities Act 2004	38(1)	£150	£150

Description of Offence	Act	Section of Act	Allowable Penalty	Level Set
Illegal depositing of waste (fly tipping)	Environmental Protection Act 1990 (as amended)	Section 33(1)(a)	Locally set between £150 and £400 (default is £200)	£400
Painting or otherwise inscribing or affixing picture etc. upon the surface of a highway or upon a tree, structure or works on a highway	Highways Act 1980	Section 1	£100	£100
Depositing anything on highway to the interruption of user	Highway Act 1980	Section 148(c)	£100	£100
Depositing things on highway which cause injury or danger	Highway Act 1980	Section 161 (1)	£100	£100
Erecting scaffolding or other structure without licence or failing to comply with terms of licence or perform duty under Subsection (4)	Highways Act 1980	Section 169 (5)	£100	£100

Description of Offence	Act	Section of Act	Allowable Penalty	Level Set
Littering	Environmental Protection Act 1990 as amended, as amended by section 19 of the CNEA 2005	87/88	Locally set between £50 and £150 (default is £100)	£100