

## **APPENDIX A**

# **FIXED PENALTY NOTICES FOR DELEGATION WITH FINE LEVELS**

<b>Environmental</b>				
	<b>Legislation</b>	<b>Current Level</b>	<b>Proposed Levels</b>	<b>Comments</b>
<b>Depositing litter</b>	Section 87 and 88(1) of the Environmental Protection Act 1990, amended by section 23 of Clean Neighbourhoods and Environment Act 2005 Penalty levels amended by The Environmental Offences (Fixed Penalty) (England) Regulations 2017	£100	£150	Maximum changed as of 1 <sup>st</sup> April 2018
<b>Littering from Vehicles</b>	London Local Authorities Act 2007 section 24	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Unauthorised distribution of literature on designated land</b>	Schedule 3A, paragraph 7(2) Environmental Protection Act 1990, amended by section 23 of Clean Neighbourhoods and Environment Act 2005 Penalty levels amended by The Environmental Offences (Fixed Penalty) (England) Regulations 2017	£80	£150	In line with London Councils Transport and Environment Committee set levels
<b>Graffiti and flyposting</b>	Section 43 of the Anti-Social Behaviour Act 2003, amended by section 28 of Clean Neighbourhoods and Environment Act 2005 Penalty levels amended by The Environmental Offences (Fixed Penalty) (England) Regulations 2017	£80	£150	In line with London Councils Transport and Environment Committee set levels
<b>Flyposting – displaying advertisement in contravention of regulations</b>	Town and Country Planning Act 1990 s.224(3), provided for in Schedule 2 of LLAA 2004	£100	£100	In line with London Councils Transport and Environment Committee set levels

<b>Nuisance parking</b>	Section 6(1) of the Clean Neighbourhoods and Environment Act 2005	£100	£100	Does not apply to a private sale or carrying out emergency repairs within 72 hours of issue
<b>Failure of a <u>commercial</u> premise to comply with a waste receptacle notice</b>	Section 46 and 47ZA of the Environmental Protection Act 1990, LLAA 2007	£110	£110	In line with London Councils Transport and Environment Committee set levels
<b>Abandoning a vehicle</b>	Section 2A(1) of the Refuse Disposal (Amenity) Act 1978	N/A	£200	
<b>Failure to furnish documentation (waste carrier's licence)</b>	Section 5B(2) of the Control of Pollution (Amendment) Act 198	£300	£300	
<b>Failure to produce authority (waste transfer notes)</b>	Section 34A(2) of the Environmental Protection Act 1990, and Regulation 35 of The Waste (England and Wales) Regulation 2011	£300	£300	
<b>Fly-tipping</b>	Section 33 of the Environmental Protection Act	£200	£400	In line with London Councils Transport and Environment Committee set levels
<b>Failure to comply with requirement at civic amenity site</b>	London Local Authorities Act 2007 section 26 and 29	N/A	£100 (households) £300 (businesses)	In line with London Councils Transport and Environment Committee set levels
<b>Waste receptacles (commercial and industrial premises only)</b>	London Local Authorities Act 2007 section 23	N/A	£110	In line with London Councils Transport and Environment Committee set levels
<b>Waste receptacles (household only)</b>	London Local Authorities Act 2007 section 20 amended by Schedule 12 of the Deregulation Act 2015	N/A	£80	In line with London Councils Transport and Environment Committee set levels
<b>SKIPS</b>				
	<b>Legislation</b>	<b>Current Level</b>	<b>Proposed Levels</b>	<b>Comments</b>
<b>Depositing builder's skip on highway without permission</b>	Highways Act 1980 section 139(3) London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee

				set levels
<b>Failure to secure lighting or other marking of builder's skip</b>	Highways Act 1980 section 139(4)(a) London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Failure to secure marking of builder's skip with name and address</b>	Highways Act 1980 section 139(4)(b) London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Failure to secure removal of builder's skip</b>	Highways Act 1980 section 139(4)(c) London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Failure to comply with conditions of permission</b>	Highways Act 1980 section 139(4)(d) London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Failure to remove or reposition builder's skip</b>	Highways Act 1980 section 140(3) London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>HIGHWAYS</b>				
	<b>Legislation</b>	<b>Current Level</b>	<b>Proposed Levels</b>	<b>Comments</b>
<b>Painting or otherwise inscribing or affixing picture etc. upon the surface of a highway or upon a tree, structure or works on or in a highway</b>	Highways Act 1980 section 123(1), FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Wilful obstruction of highway</b>	Highways Act 1980 section 137(1), FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Erecting a building, fence or hedge on highway</b>	Highways Act 1980 section 138, FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Failure to comply with notice requiring removal of tree or shrub</b>	Highways Act 1980 section 141(3) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee

				set levels
<b>Using of stall etc. for road side sales in certain circumstances</b>	Highways Act 1980 section 147A(2) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Depositing material etc. on a made-up carriageway</b>	Highways Act 1980 section 148(a) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Depositing material etc. within 15 feet from centre of made-up carriageway</b>	Highways Act 1980 section 148(b) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Depositing anything on highway to the interruption of user</b>	Highways Act 1980 section 148(c) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Pitching of booths, stalls or stands or encamping on highway</b>	Highways Act 1980 section 148(d) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Failure to comply with notice requiring works to prevent soil or refuse escaping onto street or into sewer</b>	Highways ACT 1980 section 151(3) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Failure to comply with notice requiring removal of projection from buildings</b>	Highways Act 1980 section 152(4) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Failure to comply with notice requiring alteration of door, gate or bar opening outwards onto street</b>	Highways Act 1980 section 153(5) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Keeping of animals straying or lying on side of highway</b>	Highways Act 1980 section 155(2) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	N/A	£100	In line with London Councils Transport and Environment Committee set levels
<b>Depositing things on highway which</b>	Highways Act 1980 section 161(1)	N/A	£100	In line with London

<b>cause injury or danger</b>	FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4			Councils Transport and Environment Committee set levels
<b>SCAFFOLDING</b>				
	<b>Legislation</b>	<b>Current Level</b>	<b>Proposed Levels</b>	<b>Comments</b>
<b>Erecting scaffolding or other structure without licence or failing to comply with terms of licence or perform duty under subsection (4)</b>	Highways Act 1980 section 169(5) FPN provision by London Local Authorities and Transport for London Act 2003 (LLA 2003) Schedule 4	£100	£100	In line with London Councils Transport and Environment Committee set levels
<b>STREET TRADING AND RELATED OFFENCES</b>				
	<b>Legislation</b>	<b>Current Level</b>	<b>Proposed Levels</b>	<b>Comments</b>
<b>Contravention of condition of street trading licence or temporary licence</b>	London Local Authorities Act 1990 34(1)	£100	£100	In line with London Councils Transport and Environment Committee set levels
<b>Making false statement in connection with application for street trading licence or temporary licence</b>	London Local Authorities Act 1990 34(2)	£125	£125	In line with London Councils Transport and Environment Committee set levels
<b>Resisting or obstructing authorised officer</b>	London Local Authorities Act 1990 34(3)	£250	£250	In line with London Councils Transport and Environment Committee set levels
<b>Failure to produce street trading licence on demand</b>	London Local Authorities Act 1990 34(4)	£100	£100	In line with London Councils Transport and Environment Committee set levels
<b>Unlicensed street trading</b>	London Local Authorities Act 1990 38(1)	£150	£150	In line with London Councils Transport and Environment Committee set levels
<b>NOISE AND ASB</b>				
	<b>Legislation</b>	<b>Current Level</b>	<b>Proposed Levels</b>	<b>Comments</b>
<b>Failure to comply with a Community Protection Notice</b>	Sections 48 and 52 of the Anti-social behaviour, crime and policing Act 2014	£100	£100	
<b>Failure to comply with a Public Space Protection Order</b>	Section 68(1) of the Anti-social behaviour, crime and policing Act	£100	£100	

	2014			
<b>Contravention or failure to comply with requirement or prohibition imposed by an abatement notice</b>	Environmental Protection Act 1990 S.80(4) provided by Schedule 2 of the LLAA 2004	N/A	£100 Residential £400 (Industrial, trade or business)	In line with London Councils Transport and Environment Committee set levels
<b>Noise from Dwelling</b>	Noise Act 2996 section 8 as amended by section 82 of the Cleaner Neighbourhoods and Environment Act 2005	N/A	£110	In line with London Councils Transport and Environment Committee set levels