

## APPENDIX 1

Offence	Explanation	Act	DBC Current Fine	DBC Proposed Fine	Default Fine	Minimum Full Fine	Proposed DBC Discounted Full Fine
<b>Littering</b>	A person is guilty of an offence if they throw down, drop or otherwise deposit and litter in any place in the area of a principle litter authority which is open to the air, accessible to the public and they leave it. Litter includes discarded cigarette ends and chewing gum.	Section 87 Environmental Protection Act 1990. (Offence of littering). Section 88 Environmental Protection Act 1990 (FPN for littering). Section 98 Environmental Protection Act (definition of litter).	£75 - reduced to £50 if paid within 7 days	£150	£100	£65	£75
<b>Littering From Vehicles</b>	The registered keeper of a vehicle is guilty of an offence if littering occurs as a result of litter being thrown, dropped or otherwise deposited from a vehicle (whether or not by the vehicle's keeper).	Section 88 Environmental Protection Act 1990 (description of the offence). Littering from vehicles outside London (Keepers Civil Penalties) Regulations 2018.		£150	£100	£65	£75
<b>Graffiti</b>	An offence is committed where a person without lawful excuse destroys or damages any property belonging to another or is reckless as to whether the property is damaged or destroyed. This includes the painting or writing on, or the soiling or marking or other defacing of, any property by whatever means (criminal damage).	Section 43 ASB Act 2003 (Penalty notices for graffiti) Section 43A ASB Act 2003 (amount of penalty – inserted by s.28 Clean Neighbourhoods and Environment Act 2005). Section 44 ASB Act 2003 (definition of a relevant offence for purposes of s.43). Section 132 Highways Act 1980 (description of the offence).	£75 - reduced to £50 if paid within 7 days	£150	£100	£65	£75
<b>Fly Posting</b>	A person who, without either the consent of the highway authority for the highway in question or an authorisation given by or under an enactment or a reasonable excuse, paints or otherwise inscribes or affixes any picture, letter, sign or other mark upon the surface of a highway or upon any tree, structure or works on any land designated by the local authority.	Section 43 ASB Act 2003 (Penalty notices for Fly posting). Section 43A ASB Act 2003 (amount of penalty – inserted by s.28 of Clean Neighbourhoods and Environment Act 2005). Section 44 ASB Act 2003.	£75 - reduced to £50 if paid within 7 days	£150	£100	£65	£75

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<b>Unauthorised Distribution Of Free Literature on Designated Land</b>	A person commits an offence if they distribute any free printed matter without the consent of a principal litter authority on any land which is designated by the authority under schedule 3A of the Environmental Protection Act 1990, where the person knows that the land is designated. A person commits an offence if they cause another person to distribute any free printed matter without the consent of the authority on any land designated by the authority.	Section 94B Environmental Protection Act 1990 (free distribution of printed matter giving effect to schedule 3A). Para1 Schedule 3A Environmental Protection Act 1990 (description of the offence). Para 7 Schedule 3A Environmental Protection Act 1990 (fixed penalty notices).	£75 - reduced to £50 if paid within 7 days	£150	£100	£65	£75
<b>Nuisance Parking</b>	A person is guilty of an offence if at any time they leave two vehicles parked within 500 meters of each other on a road or roads where they are exposed or advertised for sale. It is also an offence for a person to carry out restricted works on a motor vehicle on a road. Restricted works includes; repair, maintenance, servicing, improvement or dismantling of a motor vehicle or of any part of or accessory to a motor vehicle and/or works for the installation, replacement or renewal of any such part or accessory.	Section 3 Clean Neighbourhoods and Environment Act 2005 (offence of exposing vehicles for sale on the road). Section 4 Clean Neighbourhoods and Environment Act 2005 (offence of repairing vehicles on a road). Section 6 Clean Neighbourhoods and environment Act 2005 (power to give fixed penalty notices).	£100 - reduced to £60 if paid within 7 days	£100	£100	£100	£60

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<b>Abandoning a Vehicle</b>	<p>Any person who, without lawful authority, abandons on any land in the open air, or on any other land forming part of the highway, a motor vehicle or anything which formed part of a motor vehicle and was removed from it in the course of dismantling the vehicle on the land, is guilty of an offence. There is no statutory definition of an abandoned vehicle. Government suggest if one or more of the below criteria are satisfied then it can be classed as abandoned:</p> <p>It is untaxed (this is insufficient as a sole ground). It has no current DVLA record. The vehicle has been left in the same place for a long period of time. It is haphazardly parked in an appropriate place. It is burnt out or containing rubbish. The vehicle is damaged or not road worthy. It is without number plates.</p>	<p>Section 2 (Refuse Disposal (Amenity) Act 1978 (offence of abandoning a vehicle). Section 2A Refuse Disposal (Amenity) Act 1978 (fixed penalty for offence of abandoning a vehicle). Section 3 Refuse Disposal Act 1978 (removal of abandoned vehicles). Section 4 Refuse Disposal (Amenity) Act 1978 (disposal of removed vehicles).</p>	£200 – reduced to £120 if paid within 7 days.	£200	£200	£200	£175
<b>Fly Tipping</b>	<p>It is an offence to deposit controlled waste or extractive waste or knowingly cause or knowingly permit controlled waste or extractive waste to be deposited in or on any land unless an environmental permit authorising the deposit is in force and the deposit is in accordance with the permit.</p>	<p>Section 33(1)(a) Environmental Protection Act 1990 (offence of fly tipping). Section 33ZA Environmental Protection Act 1990 (fixed penalty notices for contravention of 33 (1)(a).</p>		£400	£200	£150	No Discount

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<b>Failure to Produce a Waste Transfer Note</b>	It is the duty of anyone who imports, produces, carries, keeps, treats or disposes of controlled waste or, as a dealer or broker, has control of such waste, to ensure the waste is transferred to an authorised person and that there is a written description of the waste. Failure to produce waste transfer notices when requested and the failure to retain waste transfer notes for 2 years are criminal offences.	Section 34 Environmental Protection Act 1990 (duty of care as respects waste). Regulation 35(6) of the Waste (England and Wales) Regulations 2011. Section 34ZA Environmental Protection Act 1990 (fixed penalty notice).	£300 - reduced to £180 if paid within 7 days	£300	£300	£300	No Discount
<b>Domestic Waste Receptacle Offences</b>	Households must place their waste in receptacles of a kind and number specified by the local authority. Since the decriminalisation of domestic waste receptacle offences, the local authority must follow a specified procedure before it can issue a penalty for the breach of receptacle requirements. The local authority must first give a written warning. If non-compliance continues, a notice of intent to issue an FPN must be given. The offender must be given 28 days to make representations. Before the FPN can be issued, a further notice, known as the final notice, must be served.	Section 46 Environmental Protection Act 1990 (receptacles for household waste). Section 46A Environmental Protection Act 1990 (written warnings and penalties for failure to comply with receptacle requirements). Section 46B Environmental Protection Act 1990 (amount of fixed penalty). Section 46C(notices of intent and final notice). Section 46D (appeals against penalty under 46A). Section 47ZA (fixed penalty for offences under s.46 & s.47).		£80	£60	£60	£40

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<b>Industrial &amp; Commercial Waste Receptacle Offences</b>	<p>A waste collection authority, may at the request of any person, supply them with receptacles for commercial or industrial waste which they have requested the authority to collect and will make a reasonable charge.</p> <p>If it appears to a waste collection authority that there is likely to be situated, on any premises in its area, commercial waste or industrial waste of a kind which, if the waste is not stored in receptacles of a particular kind, is likely to cause a nuisance or be detrimental, the authority may by notice served require the occupier of the premises to provide receptacles for the storage of the waste of a kind &amp; number specified. A person served with such notice can appeal to Magistrates Court within 21 days if the requirements are unreasonable.</p>	<p>Section 47 Environmental Protection Act 1990 (receptacles for commercial or industrial waste).</p> <p>Section 47ZA Environmental Protection Act 1990 (fixed penalty for offences under s.46 and s.47).</p> <p>Schedule 1, para 2 Controlled Waste (England &amp; Wales) Regulations 2012 (sources of household, industrial and commercial waste).</p>	£100 - reduced to £60 if paid within 7 days	£110	£100	£75	£60