

COUNCIL 26th JULY 2023**Cabinet 10th July 2023****26 REVIEW OF FIXED PENALTY NOTICE CHARGES**

Councillor Lynn, Cabinet Member with responsibility for Public Services and Communities, presented a written report of the Director, Public Services which provided information for a review of Fixed Penalty Notice (FPN) Charges. FPN charges and associated penalty tariffs in relations to dealing with environmental offences including littering, fly-tipping and dog fouling Public Space Protection Orders (PSPOs) and Community Protection Notices (CPNs).

The Council recognised the importance of the local environment to everyone in Calderdale as reflected in our Vision 2024. Following the Council's Enforcement Review in 2018 the serving of FPNs for anti-social behaviour and most nuisance and environmental offences had been undertaken by the Community Protection Team. As the FPN strategy had been in place for 13 years, and new areas of enforcement added it was appropriate that a review was undertaken of the level of fines that Calderdale Council imposed for the various behaviours. The Review would provide a framework which would assist the ongoing use of FPNs for the Community Protection Team. Approval of the Strategy by the Council would:

- i. Signal the commitment of the Council to protect the Environment and tackle the harm caused by anti-social behaviour by using fixed penalties to deal with anti-social behaviour, environmental nuisance and crime in the Borough.
- ii. Improve service delivery in an area that the public regarded as important.
- iii. Continue to ensure that the Fixed Penalties Notice regime in Calderdale was delivered in accordance with DEFRA guidance.

The report outlined background information, options considered, financial, legal, human resources and organisational development, environmental, health and economic implications.

During discussions Members welcomed the report and explained that people did take pride in where they lived and would welcome enforcement for when people fly-tipped.

***RESOLVED that it be recommended to Council that:**

(a) A review of the Fixed Penalty Notice Charges set out in the Director, Public Services written report having regard to guidance issued by DEFRA on the use of fixed penalties be approved;

(b) the tariffs for Fixed Penalty Notices and the associated discounts for early payment listed in Appendix 1 of the Director, Public Services written report be approved; and

(c) the Director, Public Services, in consultation with the Cabinet Member with responsibility for Public Services and Communities be given delegated authority for reviewing Fixed Penalty Notice Charges.