



Fixed Penalty Notices – Penalty Table

For legislation and offence information covered by Fixed Penalty Notices, see page 2.

Legislation	Offence	Standard Penalty (14 days)	Reduced Penalty (if paid within 10 days)	Non-payment will result in prosecution and a criminal record (maximum fines do not include any associated court costs claimed back by the Council)
S6(1) Clean Neighbourhoods and Environment Act 2005	Nuisance Parking (repairs/exposing for sale)	£100	£60	£2,500
S2A(1) Refuse Disposal (Amenity) Act 1978	Abandoned Vehicle	£200 (plus removal, storage and disposal costs)	£120 (plus removal, storage and disposal costs)	£2,500 or imprisonment up to 51 weeks or both
S88(1) Environmental Protection Act 1990	Littering	£75*	£50	£2,500
S94A(2) Environmental Protection 1990	Street Litter Control Notices and Litter Cleaning Notices	£100*	£60	£2,500
Schedule 3A, para 7(2) Environmental Protection 1990	Unauthorised distribution of literature on designated land	£75*	£50	£2,500
S43 Anti-social Behaviour Act 2003	Graffiti and Fly-posting	£75* (per sign)	£50 (per sign)	Unlimited
S59(2) Clean Neighbourhoods and Environment Act 2005	Offences under Dog Control Orders	£75*	£50	£1,000
The Dogs (Fouling of Land) Act 1996	Dog Fouling (where Dog Control Order does not exist)	£50	£50	£1,000
Environmental Protection Act 1990	Fly-Tipping	N/A	N/A	£50,000 or 3 months imprisonment, or both (prosecution is the preferred option, as it is not a low-level environmental crime)
S8 Noise Act 1996	Noise from dwellings	£100	£60	£1,000
S8 Noise Act 1996 (not in force yet)	Noise from licensed premises	£500	£500	£5,000
Legislation	Offence	Standard Penalty (29 days)	Reduced Penalty (if paid within 15 days)	Non-payment will result in prosecution and a criminal record (maximum fines do not include any associated court costs claimed back by the Council)
S7 Health Act 2006	Smoking in smoke-free premises	£50	£30	£200
S6 Health Act 2006	No signs smoke-free	£200	£150	£1,000

- Denotes Government recommended Fixed Penalty Notice default rate.

Payment of a Fixed Penalty Notice means that no further action will be taken for that particular offence. It does not constitute an admission of guilt and removes the possibility of a criminal conviction.

Offences and Fixed Penalty Notice Legislation

Abandoned Vehicle – Section 2 Refuse Disposal (Amenity) Act 1978

A person is guilty of an offence if they abandon a motor vehicle, or anything that has formed part of a motor vehicle, on any land in the open air or on any other land forming part of the highway.

Dog Control Orders – Section 59 Clean Neighbourhoods and Environmental Act 2005

A person is guilty of an offence under the Dog Control Orders prescribed for failing to remove dog faeces, not keeping a dog on a lead, not putting (and keeping) a dog on a lead when directed to do so by an authorised officer of the Council, permitting a dog to enter land from which dogs are excluded, taking more than a specified number of dogs onto land.

This provision of the Clean Neighbourhoods and Environmental Act has not yet been adopted by North Hertfordshire District Council.

Dogs (Fouling of Land) Act 1996, remains in force until a Dog Control Order is made.

Dog Fouling - Dogs (Fouling of Land) Act 1996

If a dog defecates at any time on designated land and a person who is in charge of the dog at that time fails to remove the faeces from the land forthwith, that person shall be guilty of an offence.

Fly-Posting - Section 224 Town and Country Planning Act 1990

It is an offence to display an advertisement without consent. Anyone who displays an advertisement, or uses an advertisement site, or knowingly permits someone else to do so, without the consent required for it is acting illegally.

Fly-Tipping - Environmental Protection Act 1990

A person is guilty of an offence if they accumulate or deposit waste on land or abandon anything on land open to the air.

Graffiti - Section 1 Criminal Damage Act 1971

A person is guilty of an offence if they intentionally or recklessly damage or destroy property belonging to another by some means without the consent of the owner or lawful authority.

Littering - Section 87 Environmental Protection Act 1990

A person is guilty of an offence if they throw down, drop or otherwise deposit any litter and leave it, in any place which is open to the air. It is immaterial whether the litter is deposited on land or in water.

This includes smoking-related litter such as cigarette ends, cigars and discarded chewing gum and discarded remains of other products designed for chewing such as bubble gum.

Nuisance Parking - Section 6, Clean Neighbourhoods and Environmental Act 2005

Nuisance Parking only covers those vehicles repaired on the street or the selling of vehicles under the prescribed offences in Sections 3 and 4 of the Clean Neighbourhoods and Environment Act 2005 and is not intended to cover other parking infringements.

Smoking - Section 7 Health Act 2006

A person is guilty if they smoke in a smoke-free place. Work vehicles are also covered by this provision.

Smoking – no signs - Section 6 Health Act 2006

It is an offence for an occupier or manager, to fail to ensure a no-smoking sign is displayed in smoke-free premises in accordance with the Smoke Free (Signs) Regulations 2007 (e.g. minimum A5 sign at each entrance displaying the no-smoking symbol and warning that it is illegal to smoke on the premises, also need to display a sign in each compartment of a smoke-free vehicle).