

# REVIEW OF FIXED PENALTY NOTICES 2023



**To:**  
Councillor Rosy Moore, Executive Councillor for Climate Action, and Environment  
Environment & Community Scrutiny Committee 05/10/2023

**Report by:**  
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**Wards affected:**  
All

Not a Key Decision

## 1. Executive Summary

The purposes of this report are:

To inform the Executive Councillor and Scrutiny Committee Members of the revised fixed penalty notice (FPN) levels available for environmental crimes, namely fly-tipping, littering, household waste duty of care, graffiti, and flyposting, which came into force under The Environmental Offences (Fixed Penalties) (England) Regulations 2023 (“the Regulations”) on the 31<sup>st</sup> July 2023.

To seek authority to revise the current fixed penalty for offences related to littering, fly-tipping, and household waste duty of care to new levels; and to give a discount of 40% (i.e., discounted fine value) for early payment, whilst extending the period during which a payment for FPNs can be made..

## 2. Recommendations

The Executive Councillor is recommended to:

- a) Adopt new levels for fixed penalty notice (FPN) for offences related to littering, fly-tipping, and household waste duty of care and to give a discount of 40% (i.e., discounted fine value), for early payment as

detailed in the following tables.

<b>Offence</b>	<b>Proposed FPN level</b>	<b>Proposed discounted FPN level</b>
Littering	£225	£135
Household waste duty of care	£500	£300
Fly-tipping	See below	See below

<b>Size of fly-tipped waste</b>	<b>Proposed FPN level</b>	<b>Proposed discounted FPN level</b>
A single bin bag up to four bin bags of controlled waste (household, industrial or commercial waste)	£500	£300
More than four bin bags up to the size of a large car boot (up to 0.5 m <sup>3</sup> ) or a two-seater sofa of controlled waste (household, industrial or commercial waste).	£700	£420
A pile of waste about the size of a small van up to 7.5 tonne tipper truck (0.5 to 10 m <sup>3</sup> ) of controlled waste (household, industrial or commercial waste)	£900	£540

- b) Amend the payment period for FPNs for littering, fly-tipping, and household waste duty of care to 28 days and the early payment (discounted FPN level) period to 14 days.

### **3. Background**

- 3.1. Littering, fly-tipping and associated environmental offences, like side waste and abandoned vehicles, blight communities and impose avoidable costs on the public purse and can be harmful to the environment. They also undermine the actions of legitimate residents and businesses, where unscrupulous and irresponsible operators avoid paying legitimate waste disposal costs and so undercut those that operate within the law.

3.2. On 31<sup>st</sup> July 2023, the Regulations came into effect. This change in legislation gives local authorities the ability to raise fixed penalty notices (FPNs), from the current levels to new maximum levels (varies depending on the offence) for various offences. Fixed penalty notices revised under the Regulations are detailed below:

<b>Offence</b>	<b>Previous maximum FPN level</b>	<b>New maximum FPN level</b>
Graffiti	£150	£500
Flyposting	£150	£500
Littering	£150	£500
Household waste duty of care	£400	£600
Fly-tipping	£400	£1000

3.3. Prior to the Regulations, the levels for fixed penalties for littering, graffiti and flyposting were last increased in 2017 (by the Environmental Offences (Fixed Penalties) (England) Regulations 2017) to the current levels, and the council adopted the upper limits and set a discount of 40% for payment made within 10 days..

3.4. In June 2016, FPNs were introduced by the council, as an alternative to prosecution, for small scale fly-tipping that came into force under The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016. In introducing FPNs for small scale fly-tipping, the council adopted the upper limit level of £400 and set a discount to £240 (40%) for payment made within 10 days.

3.5. In March 2019, FPNs were introduced by the council, as an alternative to prosecution, for household waste duty of care offences that came into force under the Environmental Protection (Miscellaneous Amendments) (England and Wales) Regulations 2018. In introducing FPNs for household waste duty of care offences, the council adopted the upper limit level of £400 and set a discount to £240 (40%) for payment made within 10 days.

3.6. In increasing the level for FPNs it may create the perception that they

could be used to generate income for the council. The guidance is clear that FPNs should not be used in this way, and in accordance with legislation income received has to be spent on specified functions. The Code of Practice on Litter and Refuse Section 1A (Section 11) clearly sets out what purposes that the income from fixed penalty notices may be spent on as per the below table:

<b>Offence</b>	<b>Penalty receipts may be spent on functions relating to:</b>
Litter Graffiti Fly-posting	Litter and refuse (including keeping land and highways clear of litter and refuse, and enforcement against littering and littering from vehicles), graffiti and flyposting.  This may include spending on communications and education to abate littering, or on the provision of bins and other street litter disposal infrastructure.
Fly-tipping	Waste on land
Household waste duty of care	Waste on land

- 3.7. DEFRA has recently undertaken a consultation on amending the use of FPN receipts for litter, fly-tipping, and breach of household waste duty of care which may require the council to amend what FPN income is spent on. The results of the consultation are currently being reviewed.
- 3.8. In determining the appropriate level of an FPN, the council needs to consider the deterrent effect of different levels, peoples' readiness to pay and the levels of fines currently imposed in the magistrates' courts. FPNs that are set too high for local conditions or are likely to be higher than a Court imposed fine in the event of non-payment, will lead to substantial non-payment rates and are counterproductive.
- 3.9. When an FPN has been issued, an authority cannot prosecute for the alleged offence if the FPN is paid within 14 days of it being issued.

For this reason, the period during which a discount for early payment is offered is currently set at less than 14 days (currently set at 10 days).

- 3.10. However, the legislation allows for the council to make provision for treating an FPN as having been paid if a lesser amount is paid before the end of a period specified by the council. The council has the flexibility to set an appropriate payment period. Currently the FPNs have a high payment rate (littering 90%, flytipping 91% and household waste duty of care 83%). To ensure this payment rate continues, officers are recommending extending the existing payment period, whilst still maintaining an early repayment opportunity. This approach will be consistent with the standards already set and those of other local authorities such as Peterborough City Council and East Hampshire District Council (both of which allow 28 days to pay an FPN).
- 3.11. FPNs are not appropriate for repeat offenders or those responsible for large-scale environmental offences, the offences involving hazardous waste (such as asbestos), for those who are non-compliant or those who do not wish to be issued an FPN. These types of offences will continue to be enforced by prosecution in line with the Corporate Enforcement Policy. The council is also under no obligation to offer an individual or business a FPN and retains the right to prosecute for all offences regardless of the type or size.
- 3.12. The intention is that the revised FPNs will function as a deterrent to offenders in line with the aims set out in the 2023 Anti-Social Behaviour Action Plan<sup>1</sup>; and that local authorities using them will see a decrease in the number of environmental crime incidents and the number of prosecutions for these offences.
- 3.13. FPN's are an effective and visible way of dealing with low level environmental crime and will be supported by the public, provided they are used sensibly, enforced fairly, and are seen as a reasonable response to genuine problems.
- 3.14. The council has already approved the use of FPNs as an alternative to prosecutions when dealing with other environmental crimes including dog fouling, breach of commercial waste notices, and

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[https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1157028/Anti-social\\_Behaviour\\_Action\\_Plan\\_March\\_2023.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1157028/Anti-social_Behaviour_Action_Plan_March_2023.pdf)

abandoned vehicles. These FPNs are issued by authorised officers within the Council's Streets and Open Spaces service. The same authorised officers will continue to be responsible for issuing FPNs for offences related to littering, fly-tipping, household waste duty of care, flyposting, and graffiti.

- 3.15. The council's revised FPN powers will continue to be used as part of the package of enforcement options available in accordance with the council's Corporate Enforcement Policy.
- 3.16. The council will continue not to accept payment by instalments or payment plans. due to the associated costs with administering such a system. Payment for FPNs can only be accepted by the council for the relevant amount (either full or discounted rate depending on the time since it was issued). However, in cases of extreme financial difficulties, officers will continue to have discretion to be able to extend the lower threshold payment period (subject to legal restrictions) and will work together with those issued FPNs to avoid prosecution where possible. To ensure that there is suitable time for cases to go to court, officers will be allowed to extend payment periods for cases of littering, and fly-tipping and household waste duty of care in such cases.
- 3.17. In the 2023 Anti-social Behaviour Action Plan, the government set out that it wanted councils to take a much tougher stance on these forms of environmental offence and therefore set out new upper limits for FPNs.
- 3.18. If the proposed levels recommended by officers are found to be too low, the council can increase them up to a maximum level at any point in the future.
- 3.19. Offenders do not have to accept an FPN offered to them (which discharges their liability to conviction for the offence), and the council cannot make anyone pay an FPN. There is no right of appeal to any FPNs, but offenders retain the right to not pay any FPN issued to them and can at any time (before making payment) opt to have their case heard through the court system.

## Graffiti and flyposting

- 3.20. Graffiti is a low scale<sup>2</sup> problem within the city, it suffers from lots of small-scale tagging of street furniture and there have been no cases of enforcement officers having caught offenders 'in the act' within the city. Flyposting is also not a large-scale problem within the city, and it is exceedingly rare for enforcement officers to catch individuals 'in the act.'
- 3.21. Officers recommend that these FPNs remain at their current level and are not increased as none have been issued for graffiti in the last fifteen years, and none for flyposting since 2018. The current FPN level of £150 remains appropriate for both types of enforcement activity.
- 3.22. In the last year, enforcement officers have moved to using Community Protection Notices (CPNs) to deal with all types of illegal advertising (flyposting, banners, and estate agent boards<sup>3</sup>) as usually these offences have multiple offences over a short period of time (i.e., flyposting an entire road). Using a CPN enables officers to deal with the entire incident as such a notice that requires individuals to take action to prevent reoccurrence rather than penalise every single poster or tag from a certain day/event. Failure to comply with a CPN is an offence for which a FPN can be issued for each offence.
- 3.23. Community Protection FPN levels are also due for review under the 2023 Anti-Social Behaviour Action Plan and may have their maximum levels increased in 2024. Officers therefore recommend that FPNs for flyposting and graffiti are reviewed at the same time to ensure consistency across this work area.

## Littering

- 3.24. Littering within the city is predominantly smoking related, in particular cigarette ends which are discarded by both pedestrians and those travelling in motor vehicles and these account for more an estimated 90% of littering FPNs issued by the council. FPNs are also issued for domestic and commercial litter up to the size of a single black sack. The council operates a zero-tolerance approach to litter and has done for many years.
- 3.25. FPNs for littering offences were introduced in 1990 at the flat rate of £10. This level was increased in 1996 to £25, and again in 2003 to £50. In

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<sup>2</sup> There were 343 incidents of graffiti reported in 2022/23

<sup>3</sup> CPNs for estate agent boards have been in place since 2017.

2005 authorities were given discretion to set the level of fixed penalties locally between £50 and £80, with a default of £75. The levels for fixed penalties for litter were increased by the Environmental Offences (Fixed Penalties) (England) Regulations 2017 to the current minimum, default, and maximum fixed penalty rates of £65, £100, and £150, respectively.<sup>4</sup>

3.26. The number of littering FPNs issued by the council is shown below:

Year	Maximum FPN level	Littering FPN (includes litter from a motor vehicle)	Domestic waste litter FPN	Commercial waste FPN
2011/12	£75	2	0	0
2012/13		15	0	0
2013/14		40	8	0
2014/15		22	12	1
2015/16		74	63	1
2016/17		213	42	2
2017/18		375	26	21
2018/19	£150	340	42	31
2019/20		392	63	31
2020/21		371	39	3
2021/22		64	69	1
2022/23		82	95	13

3.27. *“The estimated national cost of fly-tipping to England’s economy has risen from £209 million in 2015 to £392 million in 2018/19 and reports of fly-tipping have continued to rise. Street cleansing, including clearing up litter and fly-tipping, cost local authorities in England £743 million in 2021/22. Litter, graffiti, flyposting, and fly-tipping can also have a negative impact on amenity, people’s wellbeing, and pride in place. As such, these are issues which people deeply care about. The 2018 National rural crime survey found that 57% of respondents had witnessed fly-tipping, and the 2022 National Crime Survey showed that 27% of people say rubbish or litter lying around is a very or fairly big problem in their area. These figures show that more action needs to be taken to prevent people from committing these offences. Raising the available FPN upper limits reflects the increased severity with which government views these crimes and allows councils to take tougher action.”<sup>4</sup>*

<sup>4</sup> [https://www.legislation.gov.uk/ukxi/2023/770/pdfs/ukxiem\\_20230770\\_en\\_001.pdf](https://www.legislation.gov.uk/ukxi/2023/770/pdfs/ukxiem_20230770_en_001.pdf)



- 3.28. Officers recognise that littering has an impact on the environment and on the public perception of an area, often linked to the 'broken window theory' where visible signs of disorder can lead to further crime and anti-social behaviour in an area due to lack of enforcement and community pride and care. This is consistent with the council litter strategy consultation public survey<sup>5</sup> which identifies that litter was seen as more of a significant issue in parks and open spaces where residents of the city identified it was an issue (54%).
- 3.29. It is appropriate to classify the size of waste that falls within this category of litter, and this should include any litter/waste up to and including a carrier bag of waste, and anything larger should be dealt with as fly-tipping.
- 3.30. Officers are therefore recommending that the FPN level for littering is increased to £225 (with a reduced payment of £135). This proposed increase is supported by the results of the litter strategy public survey<sup>5</sup> completed within the city, where 71% of respondents agreed with up to a £2,500 court fine taken against those littering, and 90% agreeing with the use of FPNs for littering. The recently adopted council litter strategy<sup>6</sup> also sets out a clear action point to continue with the council zero-tolerance approach to littering to issue FPNs.

#### Household waste duty of care

- 3.31. Under the Environmental Protection Act 1990, all occupiers of domestic properties are required to take reasonable measures to ensure that waste produced on their property is only transferred to an authorised person. An authorised person is defined in law and includes the council waste collection service (i.e.. bulky waste collection), a registered waste carrier (i.e., an authorised skip company) or an operator of a registered site (i.e., household waste recycling centre at Butt Lane). This reduces the risk of domestic waste ending up in the hands of those who would fly-tip it.
- 3.32. Nationally two thirds of fly-tipping incidents involve household waste<sup>7</sup>, often as a result of an individual breaching their duty of care to ensure their waste is taken away by an authorised carrier. The household waste

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<sup>5</sup> <https://democracy.cambridge.gov.uk/documents/s62200/Appendix C - Litter Strategy Consultation Public Survey Report.pdf>

<sup>6</sup> <https://democracy.cambridge.gov.uk/documents/s62198/Appendix A - A Litter Strategy for Cambridge.pdf>

<sup>7</sup> <https://www.gov.uk/government/consultations/reducing-crime-at-sites-handling-waste-and-introducing-fixed-penalties-for-waste-duty-of-care/outcome/government-response>

duty of care FPN is intended to reduce the flow of waste to those, who would go on to dispose of it illegally or fly-tip it. The FPN allows a more proportionate approach to enforcement, both for the council in costs of enforcement, and for householders in size of penalty and avoiding a criminal record.

- 3.33. Examples of where the household waste duty of care has been breached include (but is not limited to):
- a. Where fly-tipped waste can be traced back to an individual, who is found to have failed to take reasonable steps to ensure that they have transferred the waste to an authorised person.
  - b. Where an unauthorised carrier is found to be carrying household waste that was directly transferred to them by the occupier of a domestic property; or
  - c. Where an individual is found to have transferred their household waste to an unauthorised person, at a site that does not have a permit or exemption.
- 3.34. In all investigations of breaches of household waste duty of care, individuals are given the opportunity to demonstrate they took reasonable steps to determine the person that took their waste was authorised to do so. If fly-tipped waste is traced to an individual, and they are unable to identify who took their waste, or the carrier that they identify is unauthorised, then it is reasonable to believe they have not met their duty of care.
- 3.35. Examples of evidence which can be used to demonstrate an occupier of a domestic property meet their duty of care can include, but is not limited to:
- a. Details of business and of any vehicle used which can be linked to an authorised operator.
  - b. A record of checks made, including operators' registration, permit or exemption number.
  - c. A receipt for the transaction which includes the businesses details of a registered operator; or
  - d. A copy of photograph of the carrier's waste license or site permit.
- 3.36. Within Cambridge there are a sizeable number of domestic waste cases investigated each year, and, of these, the majority contain evidence, or are witnessed and linked to suspects. Over the last two years, the number of cases investigated is as follows:

<b>Year</b>	<b>Number of household waste cases investigated</b>	<b>Number of household duty of care FPNs issued</b>
2021/22	835	23
2022/23	623	77

3.37. Officers are recommending that an increase is made to the household waste duty of care FPN in line with the lower level of the fly-tipping FPN sliding scale (i.e., £500 with a discounted level of £300). This recommendation is to ensure that the FPN levels remain consistent at the same level i.e., fly-tipping and breach of household waste duty of care are seen as equally harmful acts.

3.38. For the household waste duty of care FPNs there is no right of appeal (which is the case for the other environmental FPNs issued by the council). However, with the household waste duty of care FPN, there is the right to challenge the appropriateness of the enforcement; or to dispute the alleged offence. An alleged offender, issued an FPN, would be entitled to make representations, which the council will be required to consider, in conjunction with the evidence of the case. Any such representations would be considered in line with the council's Corporate Enforcement Policy. This process would remain in place with the changes made.

### Fly-tipping

3.39. Fly-tipping in Cambridge remains a problem, despite the introduction and routine use of FPNs. The number of incidents of fly-tipping cleared by the council in the last two years has exceeded 2000 incidents each year, and the numbers of FPNs issued for small scale fly-tipping has increased, with a 91% payment rate, and only 3% of cases resulting in non-payment and cases subsequently passed for prosecution.

<b>Year</b>	<b>Number of fly-tipped waste cleared by the council</b>	<b>Number of fly-tipping FPNs issued</b>
2021/22	2283	37
2022/23	2188	87

3.40. The National Fly-Tipping Prevention Group sets out the fly-tipping responsibilities for local authorities and land managers and the

responsibility document says that “*Local councils are responsible for the clearing of all waste illegally dumped on relevant land and for the investigation of fly-tipping deposits less than 20m<sup>3</sup>, or accumulations of several small-scale tipping incidents (so would not include a pile of waste from a single large tipper truck (20 m<sup>3</sup> / approximately 18 tonnes))*”<sup>8</sup>.

- 3.41. The FPNs that the council uses remain appropriate for small scale fly-tipping (up to and including a tipper truck – as per the above definition) rather than larger scale deposits which continue to be dealt with through the court system.
- 3.42. Therefore, given the large increase from the current FPN level to the new maximum level available, it is proposed that the below sliding scale is introduced for officers to use when issuing FPNs for small scale fly-tipping so that the penalty issued is according to the size of the waste that is dumped - a single black sack of waste is likely to not as impactful to the environment, nor as expensive to clear as a tipper load of waste and therefore the FPN levied should reflect this.

<b>Size of waste</b>	<b>Proposed FPN level</b>	<b>Proposed discounted FPN level</b>
A single bin bag up to four bin bags of controlled waste (household, industrial or commercial waste)	£500	£300
More than four bin bags up to the size of a large car boot (up to 0.5 m <sup>3</sup> ) or a two-seater sofa of controlled waste (household, industrial or commercial waste).	£700	£420
A pile of waste about the size of a small van up to 7.5 tonne tipper truck (0.5 to 10 m <sup>3</sup> ) of controlled waste (household, industrial or commercial waste)	£900	£540

<sup>8</sup> <https://tacklingflytipping.com/Documents/NFTPG-CaseStudies/Fly-tipping-responsibilities-Guide-for-local-authorities-and-land-manage....pdf>)

3.43. To ensure that there is clarity, and the council can demonstrate fairness within the process a sliding scale will allow an FPN to be issued in line with the level of the offence. The sliding scale allows for maximum penalties to be issued for the most serious offences.

## **4. Implications**

### **a) Financial Implications**

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The use of FPNs has the potential of yielding a modest income. In accordance with the Environmental Protection Act 1990, FPN receipts will be used for the purpose of exercising functions to improve street cleanliness and enforcement of offences; it is not being regarded as an 'income generator'.

It is not envisaged that the revenue generated from the fines will be significant, but it will reduce the need to pursue costly prosecution in cases and enable a more flexible approach in dealing with specific offences.

### **b) Staffing Implications**

The revision of the FPNs for environmental crimes will be achieved within existing resources.

### **c) Equality and Poverty Implications**

An EQIA has been completed please see attached appendix A.

The impact on businesses, charities or voluntary bodies is expected to be positive, as these proposals should function as a deterrent to those committing environmental crime.

#### **d) Net Zero Carbon, Climate Change and Environmental Implications**

There are no adverse environmental implications. The revision of FPNs will continue to deliver a net positive climate change impact, through the reduction in environmental crime and associated additional vehicle movements required to clear and dispose of it.

A reduction in environmental crime will also deliver an increase in the quality of the local environment, a reduction in associated environmental pollution and contamination and associated improvements in public perception, health, civic pride, and inward investment.

#### **e) Procurement Implications**

No procurement is necessary for the revised FPNs. Any procurement involved in delivering the associated enforcement service will be undertaken in accordance with the procurement and financial regulations of the council.

#### **f) Community Safety Implications**

There are no adverse community safety implications.

#### **g) Consultation and communication considerations**

FPNs are an accepted means of discharging liability to deal with small scale environmental crime and have been used by the council, in accordance with national legislation and corporate policy, for more than 15 years.

As the proposed FPN level changes are made in accordance with legislation, no consultation is considered necessary.

The introduction of the new legislation and adopted penalty changes will be advertised to the wider city community through news releases, social and web media, and inclusion in future environmental campaigns.

The council departments and officers who will be responsible for the delivery of this enforcement procedure have been consulted.

### **5. Background papers**

Background papers used in the preparation of this report:

- [2023 Anti-Social Behaviour Action Plan](https://assets.publishing.service.gov.uk/government/uploads/system/upl)  
<https://assets.publishing.service.gov.uk/government/uploads/system/upl>

- [oads/attachment\\_data/file/1157028/Anti-social Behaviour Action Plan March 2023.pdf](#)
- Code of Practice for Litter and Refuse - Effective Enforcement [https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment\\_data/file/1054015/Part\\_1A\\_-\\_Effective\\_enforcement.pdf](https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/1054015/Part_1A_-_Effective_enforcement.pdf)
  - The Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 - <https://www.legislation.gov.uk/uksi/2023/770/contents/made>
  - Explanatory Memorandum to the Environmental Offences (Fixed Penalties) (Amendment) (England) Regulations 2023 [https://www.legislation.gov.uk/uksi/2023/770/pdfs/uksiem\\_20230770\\_en\\_001.pdf](https://www.legislation.gov.uk/uksi/2023/770/pdfs/uksiem_20230770_en_001.pdf)
  - Litter strategy - [https://democracy.cambridge.gov.uk/documents/s62198/Appendix A - A Litter Strategy for Cambridge.pdf](https://democracy.cambridge.gov.uk/documents/s62198/Appendix_A_-_A_Litter_Strategy_for_Cambridge.pdf)
  - Litter strategy consultation public survey report - [https://democracy.cambridge.gov.uk/documents/s62200/Appendix C - Litter Strategy Consultation Public Survey Report.pdf](https://democracy.cambridge.gov.uk/documents/s62200/Appendix_C_-_Litter_Strategy_Consultation_Public_Survey_Report.pdf)
  - National Fly-Tipping Prevention Group sets out the fly-tipping responsibilities for local authorities and land managers - <https://tacklingflytipping.com/Documents/NFTPG-CaseStudies/Fly-tipping-responsibilities-Guide-for-local-authorities-and-land-manage....pdf>
  - Council's Corporate Enforcement Policy - <https://www.cambridge.gov.uk/content/enforcement-policy>
  - Council Constitution - <https://www.cambridge.gov.uk/constitution>
  - The Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 - <https://www.legislation.gov.uk/uksi/2016/334/contents>
  - The Environmental Offences (Fixed Penalties) (England) Regulations 2017 - <https://www.legislation.gov.uk/uksi/2017/1050/contents/made>
  - The Environmental Offences (Fixed Penalties) (England) Regulations 2017 - <http://www.legislation.gov.uk/uksi/2017/1050/contents/made>
  - Explanatory Memorandum to The Environmental Offences (Fixed Penalties) (England) Regulations 2017 [http://www.legislation.gov.uk/uksi/2017/1050/pdfs/uksiem\\_20171050\\_en.pdf](http://www.legislation.gov.uk/uksi/2017/1050/pdfs/uksiem_20171050_en.pdf)
  - Government consultation response to introducing waste duty of care FPNs - <https://www.gov.uk/government/consultations/reducing-crime-at-sites-handling-waste-and-introducing-fixed-penalties-for-waste-duty-of-care/outcome/government-response>

- Fixed penalty notices for small scale fly-tipping - [https://democracy.cambridge.gov.uk/documents/s34629/Environment Scrutiny Committee - Use of FPNs for Flytipping.pdf](https://democracy.cambridge.gov.uk/documents/s34629/Environment%20Scrutiny%20Committee%20-%20Use%20of%20FPNs%20for%20Flytipping.pdf)
- Introduction of fixed penalty notices for household waste duty of care - [https://democracy.cambridge.gov.uk/documents/s45545/Use of fixed penalty notices for breaches of household duty of care.pdf](https://democracy.cambridge.gov.uk/documents/s45545/Use%20of%20fixed%20penalty%20notices%20for%20breaches%20of%20household%20duty%20of%20care.pdf)
- Fixed penalty notice review 2018/19 - [https://democracy.cambridge.gov.uk/documents/s44777/FPNS Review Report.pdf](https://democracy.cambridge.gov.uk/documents/s44777/FPNS%20Review%20Report.pdf)

## **6. Appendices**

Appendix A: EqIA – Review of fixed penalties 2023

### **7. Inspection of papers**

To inspect the background papers or if you have a query on the report please contact Wendy Johnston, Community Engagement and Enforcement Manager, tel: 01223 - 458578, email: [wendy.johnston@cambridge.gov.uk](mailto:wendy.johnston@cambridge.gov.uk).