

**Bracknell Forest Council
Record of Decision**

Work Programme Reference	I118134
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1. **TITLE:** Amendment to Fixed Penalty Notices issued for breaches of the Environmental Protection Act 1990

2. **SERVICE AREA:** Delivery

3. **PURPOSE OF DECISION**

To increase the current Fixed Penalty Charge for penalty notices issued for offences under Section 33 and Section 34 of the Environmental Protection Act 1990.

4 **IS KEY DECISION** Yes

5. **DECISION MADE BY:** Executive Member for Culture, Delivery and Public Protection

6. **DECISION:**

RESOLVED to increase the fixed penalty notice charge issued under the Unauthorised Deposit of Waste (Fixed Penalties) Regulations 2016 as amended to the levels set out in 5.9 of the report.

7. **REASON FOR DECISION**

To follow due process in the setting of Fixed Penalty Notice (FPN) levels to ensure that the issue of FPN's is legally robust.

To assist with recovering the cost of investigations and to ensure that those individuals that are responsible for this activity are held accountable as well as recovering the cost of clear up.

To act as a deterrent to those perpetrating these serious offences.

8. **ALTERNATIVE OPTIONS CONSIDERED**

No change.

Setting the fee at a higher level. However, there is concern that this would lead to fewer payments being made and more challenge through the courts,

9. **DOCUMENT CONSIDERED:** Report of the Executive Director: Delivery

10. **DECLARED CONFLICTS OF INTEREST:** None.

Date Decision Made	Final Day of Call-in Period
20 December 2023	29 December 2023