

Single Member Cabinet Decision

Executive
Forward Plan
Reference

E3592

Fixed Penalty Notice charging schedule re Public Space Protection Orders (for anti-social behaviour related to alcohol)

Decision maker/s	Cllr Tim Ball, Cabinet Member for Neighbourhood Services
The Issue	To agree the schedule of charges for Fixed Penalty Notices (FPNs) issued under Section 63 and 67 of the Anti-Social Behaviour, Crime and Policing Act 2014.
Decision Date	19 December 2024.
The decision	<p>The Cabinet Member agrees:</p> <ol style="list-style-type: none">1) To set the Fixed Penalty charge for breach of Public Spaces Protection Orders at the following levels: Penalty Amount: Set the maximum Fixed Penalty Notice (FPN) amount for breach of PSPO at £100, to be paid within 28 days of notice being issued. Early Payment Reduction: Offer a reduced penalty of £75 if the payment is made within 14 days of the FPN being issued.2) To consider the legislative requirement for FPNs, as outlined in the Statutory Considerations section of the report.3) To ensure transparency and formal documentation of this decision through the Single Member Decision process.4) That the implementation of all future changes to PSPO Fixed Penalty charges are delegated to and implemented by the Director of People and Change, or any successor or equivalent role to that post in consultation with the relevant Cabinet Member.
Rationale for decision	The Fixed Penalty Notice levels have been reviewed within the scope of the legislation. The aim of setting the penalty amounts is to ensure transparency in the process, and act as a deterrent to those breaching a Public Spaces Protection Order (for anti-social behaviour related to alcohol).
Financial and budget implications	Legal and administrative costs of issuing FPNs will be covered within existing budgets. Any revenue received from FPNs will be reinvested into Council-led initiatives, enhancing local services and furthering community safety objectives.

Issues considered	Equality (age, race, disability, religion/belief, gender, sexual orientation); Human Rights; Corporate; Other Legal Considerations
Consultation undertaken	Cabinet member for Neighbourhoods; other B&NES Services; Stakeholders/Partners; Section 151 Finance Officer; Monitoring Officer
How consultation was carried out	The Council's Monitoring Officer, Section 151 Officer and Director of People and Change had the opportunity to input into the report.
Other options considered	To set the FPN at the maximum amount of £100 without a reduction for early payment. However, this approach was deemed less effective in promoting prompt compliance and may disproportionately impact individuals.
Declaration of interest by Cabinet Member(s) for decision:	None
Any conflict of interest declared by anyone who is consulted by a Member taking the decision:	None

Name and Signature of Decision Maker/s	Councillor Tim Ball Cabinet Member for Neighbourhood Services Bath and North East Somerset Council
Date of Signature	19 December 2024
Subject to Call-in until 5 Working days have elapsed following publication of the decision	