

London Borough of Hammersmith and Fulham Record of Cabinet Member Decision

Published: 28/10/2025

1. **TITLE:** Amendments to Fixed Penalty Notice charges to be issued by the Law Enforcement Team
2. **DECISION MADE BY:** Cabinet Member for Social Inclusion and Community Safety

3. **DECISION:**

1. The existing FPN charge for the offence of leaving litter under section 88 of the Environmental Protection Act 1990 is **increased** from £150 (with an early repayment amount of £100) to £250 (with an early repayment amount set at £200). This is below the maximum permitted charge of £500.
2. To apply an FPN for littering instead of fly tipping when regular household waste (i.e. black bags and small items) is placed on the public highway outside the allocated times. The £1,000 fine for fly tipping will be reserved for items that are not part of the regular household waste collection, such as bulky waste, i.e., mattresses, furniture, white goods, or construction materials.
3. The existing FPN charge for Graffiti and flyposting offences under section 43 & 44 of the Anti-Social Behaviour Act 2003 is **increased** from £100 (with no early repayment option) to the maximum permitted charge of £500 (with an early repayment amount set at £250).
4. The existing FPN charge for breaches of the Household Waste Duty of Care under section 34(2A) of the Environmental Protection Act 1990 is **increased** from £400 (with an early repayment amount set at £250) to the maximum permitted charge of £600 (with an early repayment amount set at £300).
5. The existing FPN charge for Commercial waste receptacle breach under section 47 & 47ZA of the Environmental Protection Act 1990 is **increased** from £110 (with no early repayment option) to £150 (with no early repayment option). This is the maximum permitted charge.
6. The Council introduces these changes with effect from 1 November 2025.

4. **REASON FOR DECISION:**

Under the Environmental Protection Act 1990 and the Unauthorised Deposit of Waste (Fixed Penalty) Regulations 2016 as well as the Anti-Social Behaviour Act 2003, Cleaner Neighbourhoods and Environmental Act 2005 and London Local Authorities Act 1990 & 2004 the council may specify the amount of the FPN payable for offences under the act and should formally agree these.

This report seeks to update the FPN charges in line with the upper limits of the legislation parameters so that it is in line with other boroughs locally such as Lambeth and Ealing and reflects the severity of the offending and how seriously it is taken in Hammersmith & Fulham.

5. **ALTERNATIVE OPTIONS CONSIDERED:**

See report.

6. **CONFLICTS OF INTEREST AND DISPENSATIONS GRANTED:**

None.

Date of Decision
28 October 2025