

**REPORT OF THE DIRECTOR OF  
REGULATION AND ENFORCEMENT  
TO THE LICENSING AND PUBLIC PROTECTION COMMITTEE**

**21 SEPTEMBER 2022  
ALL WARDS**

**ADDENDUM TO THE LICENSING AND PUBLIC PROTECTION  
FEES AND CHARGES REPORT 2022/2023**

1. Summary

1.1 The Corporate Charging Policy and Financial Regulations requires that fees and charges levied by the Licensing and Public Protection Committee are reviewed on an annual basis to ensure the continued full recovery of costs.

1.2 It has been identified that the tariff for fixed penalty notices relating to the failure to comply with a Public Space Protection Order were omitted from the report brought before your Committee on 9<sup>th</sup> March 2022, this report therefore seeks to address this.

2. Recommendations

2.1 That the proposed tariff for fixed penalty notices relating to the failure to comply with a Public Space Protection Order is approved to take effect from the 21 September 2022.

Contact officer: Mark Croxford, Head of Environmental Health  
Telephone: 0121 303 6350  
Email: [mark.croxford@birmingham.gov.uk](mailto:mark.croxford@birmingham.gov.uk)

### 3. Background

3.1 The City Council's Corporate Charging Policy and Financial Regulations requires that Chief Officers, at least annually, report to and seek approval from Committee on a review of all fees and charges levied for services provided.

3.2 It has been identified that the fixed penalty tariff for failing to comply with a Public Space Protection Order was omitted from Fees and Charges Report brought before your Committee on the 9<sup>th</sup> March 2022.

### 4. Addendum

4.1 Committee can consider varying the tariff for the FPN and if so minded, reduce the tariff to any amount between £0 and £100.

4.2 Recommended tariff:

OFFENCE	LEGISLATION	PENALTY CAN BE SET	FPN TARIFF FOR 2022/2023
Public Space Protection Order	S68(6) Anti-Social Behaviour Crime and Policing Act 2014	Maximum £100 Indeterminate discount can be offered for early payment (the range is not specified).	£100 No discount for early payment.

4.3 Early repayment discounts were discontinued as few people took note of the timescales and most paid the lower payment significantly after the expiry of the discounted period. This led to inequalities and administration difficulties. It is your Officer's recommendation that Committee do not reinstate early payment rates.

### 5. Consultation

5.1 Your officers have liaised with the Community Safety Team, this would align all PSPO FPNs to the same amount.

### 6. Implication for Resources

6.1 None

### 7. Implications for Policy Priorities

7.1 The recommendations are in accordance with Financial Regulations, budget requirements and Corporate Charging Policy.

### 8. Public Sector Equality Duty

8.1 There are no specific implications identified.

**DIRECTOR OF REGULATION AND ENFORCEMENT**