

Delegated Officer's Decision

Reference	Service Grouping
	Environment

Subject:	Fixed Penalty Fees - Breach of various Environmental Related Provisions
Decision taken:	<p>That no amount be specified for the purpose of: Section 47ZB(2)(a) of the Environmental Protection Act 1990 therefore the default amount specified in 47ZB(2)(b) will apply Section 88(6A)(a) of the Environmental Protection Act 1990 therefore the default amount set out in Section 88(6A)(b) shall apply Section 94A(4)(a) of the Environmental Protection Act 1990 therefore the default amount set out in Section 94A(4)(b) shall apply</p> <p>Reduction for early payment: That a reduction for early payment be specified for the above provisions and for the purposes of Section 34A (11) of the Environmental Protection Act 1990 and Section 5/5B of the Control of Pollution Act 1989. That reduction shall be 40% of the fee if paid within 10 days.</p>
Reason for decision taken:	The fee basis of the above penalty provisions needs to be determined to facilitate the issue of fixed penalties for breach of the relevant provisions.
Other options considered:	Setting of specific penalties for the purpose of the provisions set out above
Decision taken by:	Steve Broughton
Scheme of Delegation Ref:	Article 3.15 of the Constitution of West Berkshire District Council (Scheme of Delegation)
Job Title:	Head of Culture and Environmental Protection
Those consulted:	Sarah Clarke - Solicitor
Background papers:	None

I confirm that I have ^{been} fully advised and have taken account of all the relevant facts in making this decision.

Date Decision Made	Date Decision will be Implemented (5 clear days)
20 February 2014	28 February 2014

Officer:	<i>S. Broughton</i>
Witnessed by:	<i>G. Ward</i>
Date:	20/02/14

This decision is eligible to be 'called-in'. However, if the decision has not been 'called-in' by 5.00pm on *28 February 2014*, then it will be implemented.

If you have any queries regarding this decision, please contact:

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Job Title: Head of Culture and Environmental Protection

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