

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations supplement provisions in Acts for fixed penalties payable in respect of offences relating to the environment. They replace the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2007 (“the EOR 2007”) (except for regulation 2(2)(b) and 3(2)(b) of the EOR 2007).

The Regulations prescribe the ranges within which the amounts of certain fixed penalties that are capable of being specified by a local authority are required to fall (regulations 2 to 5). The ranges for littering, free distribution of printed matter on designated land and graffiti and fly-posting (see regulations 4 and 5) are different to those under the EOR 2007. For the period beginning with 1st April 2018 and ending with 31st March 2019, the range is not less than £50 and not more than £150 (regulation 4). From 1st April 2019, the range is not less than £65 and not more than £150 (regulation 5).

Regulations 6 and 7 amend the Environmental Protection Act 1990 and the Anti-social Behaviour Act 2003 in relation to England to increase the amount of the penalties for littering, free distribution of printed matter on designated land and graffiti and fly-posting where a local authority does not specify an amount. The penalty for each is increased from £75 to £100.

The Regulations also state a minimum lesser amount which an authority may treat as payment of the full amount if paid before the end of a period specified by the authority in relation to certain fixed penalties (regulations 8 to 11).

The Regulations provide that before a person may be authorised by a parish or community council to give notices of certain fixed penalties, the person must successfully complete a course of training on the giving of those notices (regulation 12).

Regulation 13 partially revokes the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2007. Regulation 13 also revokes the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) (Amendment) Regulations 2012.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.

Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Environmental Offences (Fixed Penalties) (England) Regulations 2017. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

Changes and effects yet to be applied to :

- reg. 1 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 2 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 3 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 4 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 5 coming into force by [S.I. 2017/1050 reg. 1\(3\)](#)
- reg. 5 substituted by [S.I. 2023/770 reg. 2\(2\)](#)
- reg. 6 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 7 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 8 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 9 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 10 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 11 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 12 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)
- reg. 13 coming into force by [S.I. 2017/1050 reg. 1\(2\)](#)