**OFFENCE CODES AND DESCRIPTION**

**(By reference to the New Roads and Street Works Act 1991)**

PS01 - An offence under Regulations 19 (1) - Undertaking works on a specified street without a permit and license in place where an applicable permit scheme requires one

PS02 - An offence under Regulation 20 (1) - Breaching a permit and license conditions as set out in documentation given as approval

05 - An offence under section 70(6) consisting of a failure to comply with subsection (3) or (4A). - Failure to comply with requirements to give notice of completion of reinstatement within 10 working days

06 - An offence created by regulations made under section 74(7B). - Failure to give a notice required by regulations under s.74 (charge for occupation of the highway where works unreasonably

Delayed- work stop notification not sent within 2 hours of work stopping; Actual start notification not sent within 2 hours of work starting

**Giving Fixed Penalty Notices**

1) An authorised officer of a Permit Authority may, if he has reason to believe that a

person is committing or has committed an offence under regulation 19(1) or 20(1), give him a

fixed penalty notice in relation to that offence.

(2) In this Part “fixed penalty notice” means a notice offering a person the opportunity of

discharging any liability to conviction for a fixed penalty offence by payment of a penalty.

**Time limit for giving fixed penalty notice**

**1)** A fixed penalty notice may not be given more than 91 days after the commission of the

offence beginning with the day of its commission.

**Costs**

1) Where a fixed penalty notice has been given under regulation 21 in relation to an

offence, the penalty payable in order to discharge liability to conviction for that offence is—

(a) in the case of an offence under regulation 19, £500, and

(b) in the case of an offence under regulation 20 regulation 19, £120.

(2) The period for payment of the penalty is the period of 36 days beginning with the day on

which the notice is given.

(3) The Permit Authority may extend the period for paying the penalty in any particular case if

they consider it appropriate to do so.

**Discounts for early payment**

1) A discounted amount is payable instead of the amount prescribed under regulation

24(1) if payment is made before the end of the period of 29 days beginning with the day on which

the notice is given.

(2) The discounted amount is—

(a) in a case where regulation 19, applies, £300, and

(b) in a case where regulation 20, and sections 70 (6) & Section 74 (7b) (b) applies, £80.

(3) If the last day of the period specified in paragraph (1) does not fall on a working day, the

period for payment of the discounted amount is extended until the end of the next working day

**Withdrawal of fixed penalty notice**

(1) If the Permit Authority considers that a fixed penalty notice which has been given

ought not to have been given, it shall give to the person to whom that notice was given a notice

withdrawing the fixed penalty notice.

(2) A notice under paragraph (1) shall be in the form set out in Schedule 2 or in a form to

substantially the like effect.

(3) Where a notice under paragraph (1) is given the Permit Authority shall repay any amount

which has been paid by way of penalty in pursuance of the fixed penalty notice.

(4) The Permit Authority shall consider any representations made by or on behalf of the

recipient of a fixed penalty notice and decide in all the circumstances whether to withdraw the

notice.

**Payments**

To be made as per attached instructions for payment document

**Form of fixed penalty notice**

(1) A fixed penalty notice shall be in the form attached to this document

(2) A fixed penalty notice shall identify the offence to which it relates and give reasonable

particulars of the circumstances alleged to constitute that offence.

(3) A fixed penalty notice shall also state—

(a) the amount of the penalty and the period within which it may be paid;

(b) the discounted amount payable in accordance with regulation 25 and the period within

which it may be paid;

(c) the person to whom and the address at which payment may be made;

(d) the method or methods by which payment may be made;

(e) the person to whom and the address at which any representations relating to the notice

may be addressed; and

(f) the consequences of not making a payment within the period for payment.

(4) The person specified under paragraph (3)(c) shall be the Permit Authority or a person

contracted to act on its behalf.

Hertfordshire County Council - Permit Authority
**FIXED PENALTY NOTICE for PERMIT OFFENCES 1900**

**THE TRAFFIC MANAGEMENT PERMIT SCHEME(ENGLAND) Regulations 2007**

Fixed Penalty Notice Number:

Contact Tel no. Permit Reference:

To: Date of this Notice:

Address:

Offence Code *(NB: Only one offence code per fixed penalty notice)*:

Location:

Date of Offence:

Details of Offence:

1. I am giving you this notice, in accordance with section 37(6) of the Traffic Management Act 2004, and Schedule 4b to, the New Roads and Street Works Act 1991, to offer you the opportunity of discharging any liability to conviction for this fixed penalty offence by payment of a penalty.

2. This means that no legal proceedings will be commenced for the offence if, subject to paragraph 3, the penalty of £120.00 is paid (See Part B for instructions on methods of payment) within the period of 36 days beginning with the day on which this notice was given. (NB: The permit authority may extend this period in any

particular case if they consider it appropriate to do so (See regulation 25(3)).

3. Instead of paying the amount referred to in paragraph 2, liability to conviction for the offence may also be discharged if the discounted amount of £80.00 is paid within the period of 29 days beginning with the day on which this notice was given. (NB: If the last day of this period does not fall on a working day, the period for

payment of the discounted amount is extended until the end of the next working day (See Paragraph 5(3) of Schedule 4B)).

4. If the discounted amount is not paid within the period set out in paragraph 3, as extended where relevant, liability to conviction for the offence may only be discharged thereafter by payment of the penalty of £120.00 within the period set out in paragraph 2, as extended where considered appropriate. If you then fail to pay the penalty within that period, legal proceedings for the offence may be commenced against you.

5. Any representations that you wish to make in relation to this notice may be addressed to:

Mr Ross Bevan

County Hall

Pegs Lane

Hertford

Hertfordshire

SG13 8DN

identifying the fixed penalty notice number stated above.

**NAME OF AUTHORISED OFFICER:** ROSS BEVAN

**DATE:**

Signed Date:

……………………. …………………

Company liable for Fixed Penalty notice liability discharge

…………………

Company number

…………………