

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulation 4

FORM OF FIXED PENALTY NOTICE

*	<b>FIXED PENALTY NOTICE</b> <b>NEW ROADS AND STREET WORKS ACT 1991</b> (Section 95A and Schedules 4A and 4B)	<b>FIXED PENALTY NOTICE</b> Number: .....
<b>PART A</b>		
Contact Tel No.  <b>TO:</b>  <b>ADDRESS:</b>	Works Ref No. * Street Authority No. * (*To be left blank where the offence relates to works in respect of which no notice has been given.)  <b>DATE OF THIS NOTICE:</b>  ..... dd mm yy	
<b>OFFENCE CODE</b> (See Part B) ( <b>NB:</b> Only one offence code per fixed penalty notice) : .....		
<b>LOCATION:</b>		
<b>DATE OF OFFENCE:</b>		
<b>DETAILS OF OFFENCE :</b>		
<p>1. I am giving you this notice, in accordance with section 95A of, 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.</p> <p>2. This means that no legal proceedings will be commenced for the offence if, subject to paragraph 3, the penalty of <b>£120</b> is paid (See Part B for instructions on methods of payment) within the period of <b>36</b> days beginning with the day on which this notice was given. (<b>NB:</b> The street authority may extend this period in any particular case if they consider it appropriate to do so (See paragraph 4(3) of Schedule 4B)).</p> <p>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 <b>£80</b> is paid within the period of <b>29</b> days beginning with the day on which this notice was given. (<b>NB:</b> 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)).</p> <p>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 <b>£120</b> 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.</p> <p>5. Any representations that you wish to make in relation to this notice may be addressed to _____ at _____ identifying the fixed penalty notice number stated above.</p>		
<b>NAME OF AUTHORISED OFFICER</b> (in block capitals): .....  DATE : .....		

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<b>PART B</b>	
*	<b>INSTRUCTIONS ON METHODS OF PAYMENT</b>
(* Insert Street Authority name)	<b>FIXED PENALTY NOTICE Number:</b>
<p><b>ELECTRONICALLY</b> by the Bankers Automated Clearing Services (BACS). Payment should be made to _____, Sort Code _____, Account Number _____. Payment must be supported by the timely submission of a list of the fixed penalty notice numbers covered by the payment and the amount being paid in relation to each number.</p>	
<p><b>"ON LINE"</b> - please visit our website at _____.</p>	
<p><b>BY POST</b>- by making your cheque payable to _____ and sending it to _____. Payment must be accompanied by a list of the fixed penalty notice numbers covered by the payment and the amount being paid in relation to each number. A receipt will be sent on request.</p>	
<p><b>IN PERSON</b> - to _____ at _____ between _____ am and _____ pm on any day on which the office is open for business. Any cheque should be made payable to _____. Payment may be made by debit or credit card if the card is one that is accepted by the Street Authority in accordance with their standard procedures. Payment must be accompanied by a list of the fixed penalty notice numbers covered by the payment and the amount being paid in relation to each number. A receipt will be provided on request.</p>	
<p><b>BY TELEPHONE</b> by contacting _____ at _____ on _____ between _____ am and _____ pm on any day on which the office is open for business. Payment may only be made by using a debit or credit card that is accepted by the Street Authority in accordance with their standard procedures. You must state the fixed penalty notice number of each notice in respect of which payment is being made and the amount being paid in relation to each number. A receipt will be sent on request.</p>	
<p><b>OTHER METHOD/S</b> - * (* Insert details where applicable.)</p>	

<b>OFFENCE CODES AND DESCRIPTION</b>		
(By reference to the New Roads and Street Works Act 1991)		
CODE	OFFENCE	BRIEF DESCRIPTION
01	An offence under section 54(5).	Failure to comply with duties under s.54 (advance notice of certain works, etc.).
02	An offence under section 55(5).	Beginning to execute works in contravention of s.55 (notice of starting date).
03	An offence under section 55(9).	Failure to give notice in accordance with s.55(8) (notice to be given on s.55 notice ceasing to have effect).
04	An offence under section 57(4).	Failure to give notice in accordance with s.57 (notice of emergency works).
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.
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).
07	An offence created by regulations made under section 74A(11).	Failure to give a notice required by regulations under s.74A (charge determined by reference to duration of works).