

SCHEDULES

SCHEDULE 1

FIXED PENALTIES

Withdrawal of notices

16.—(1) This paragraph applies if a district council considers that a penalty notice which an authorised officer acting on its behalf has given to a person ought not to have been given.

(2) The district council may give notice to that person withdrawing the penalty notice.

(3) If it does so—

(a) it must repay to that person any amount which has been paid by way of penalty in pursuance of the penalty notice, and

(b) no proceedings may be brought or continued against that person for the offence in question.

(4) The council must 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.