4 Fixed penalty notices

(1) Where on any occasion an authorised officer of a local authority finds a person who he has reason to believe has on that occasion committed an offence under section 3 above in the area of that authority, he may give that person a notice offering him the opportunity of discharging any liability to conviction for that offence by payment of a fixed penalty.

(2) Subsections (2) to (8) of section 88 of the Environmental Protection Act 1990 shall apply for the purposes of this section as they apply for the purposes of that section but as if references to a litter authority were references to a local authority.

(3) In subsection (8) of that section as it applies for the purposes of this section “chief finance officer”, in relation to a local authority, means the person having responsibility for the financial affairs of the authority.

(4) In this section “authorised officer”, in relation to a local authority, means any employee of the authority who is authorised in writing by the authority for the purpose of issuing notices under this section.

(5) In subsection (4) above, the reference to any employee of the authority includes references to—

(a) any person by whom, in pursuance of arrangements made with the authority, any functions relating to the enforcement of this Act fall to be discharged; and

(b) any employee of any such person.