



Reading Borough Council Act 2013

2013 CHAPTER iv

Fixed penalties

10 Fixed penalties: reserve powers of Secretary of State

- (1) Where the council set any levels of fixed penalties under section 9(1), they shall notify the Secretary of State of the levels of fixed penalties so set.
- (2) Where notification of any levels of fixed penalties is required to be given under subsection (1), the levels of fixed penalties shall not come into force until after the expiration of—
 - (a) the period of one month beginning with the day on which the notification is given; or
 - (b) such shorter period as the Secretary of State may allow.
- (3) If, before the expiration of that period, the Secretary of State gives notice to the council that he objects to the levels of fixed penalties on the grounds that some or all of them are or may be excessive, those levels of fixed penalties to which he objects shall not come into force unless and until the objection has been withdrawn.
- (4) If, at any time before the levels of fixed penalties required to be notified under subsection (1) to the Secretary of State have come into force, the Secretary of State considers that some or all of them are excessive, he may make regulations setting the levels of fixed penalties.
- (5) Levels of fixed penalties set under subsection (4) must be no higher than those notified under subsection (1).
- (6) Regulations under subsection (4) are without prejudice to the duty imposed on the council by section 9(1); but where the Secretary of State makes any such regulations the council must not set any further fixed penalties under the said subsection (1) until after the expiration of the period of 12 months beginning with the day on which the regulations are made.
- (7) The power to make regulations conferred by subsection (4)—

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- (a) includes power to make provision in respect of such cases only as may be specified in the regulations and to make different provision for different circumstances; and
- (b) shall be exercised by statutory instrument subject to annulment in pursuance of a resolution in either House of Parliament.