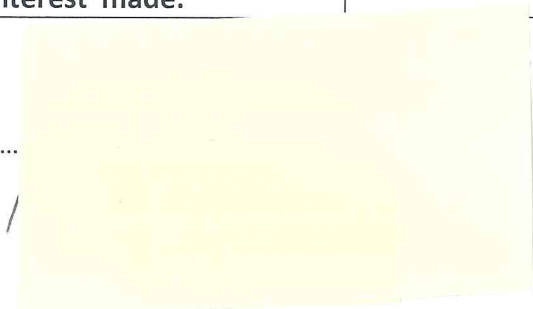


## Record of officer decision

<b>Decision title:</b>	Decision to prosecute
<b>Date of decision:</b>	
<b>Decision maker:</b>	Head of Regulatory & Development Management Services
<b>Authority for delegated decision:</b>	The chief executive's scheme of delegation
<b>Ward:</b>	Ross West
<b>Consultation:</b>	Legal Services - In accordance with s.222 of the Local Government Act 1972 we consider a prosecution is both appropriate and reasonable in this matter for the promotion or protection of the interests of the people of the County of Herefordshire which is also in accordance with the Herefordshire Council's Enforcement and Prosecution Policy.
<b>Decision made:</b>	To prosecute the defendant for littering offences under section 87 of the environmental protection act 1990.
<b>Reasons for decision:</b>	<p>Information was received that household waste was been dumped in an alleyway. Several checks were made to the location and on 4 different occasions, details of the defendants name and address were found amongst the waste. Including a court summons for not paying council tax.</p> <p>The defendant was twice invited in for interview but failed to attend.</p> <p>The evidential test is met in this instance as there is officer observation and a number of photographs.</p> <p>The public interest test is met due to the nature and circumstances of this matter namely:</p> <p>(i) If legal proceedings are not instigated, then it is likely that he will repeat offend; and</p> <p>(ii) A prosecution would have a significant impact on maintaining community confidence and should act as a deterrent to others who may be contemplating similar actions,</p>
<b>Highlight any associated risks/finance/legal/equality considerations:</b>	
<b>Details of any alternative options considered and rejected:</b>	

Details of any declarations of interest made:	None

Signed...



Date:

15/10/18