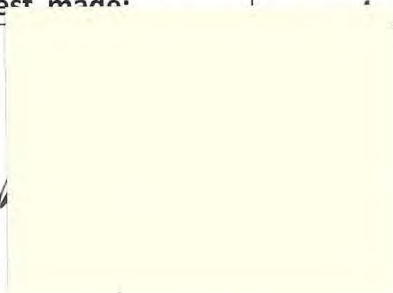


Record of officer decision

Decision title:	Decision to prosecute 1 defendant for littering of a cigarette butt
Date of decision:	15/11/19
Decision maker:	Acting Assistant Directorate for Regulatory, Environment and Waste Services
Authority for delegated decision:	Economy and Place Scheme of Delegation item 64
Ward:	Belmont rural
Consultation:	Legal Services: In accordance with S222 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.
Decision made:	To prosecute the 1 defendant for a littering offence under section 87 of the Environmental Protection Act 1990.
Reasons for decision:	<p>Officers were driving along Belmont Road Hereford when a passenger in the vehicle in front threw a cigarette butt out of the window. Following checks the passenger was identified and accepted a fixed penalty notice but the notice was not paid.</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>
Highlight any associated risks/finance/legal/equality considerations:	None
Details of any alternative options considered and rejected:	None
Details of any declarations of interest made:	None

Signed:



Date:

15/11/19