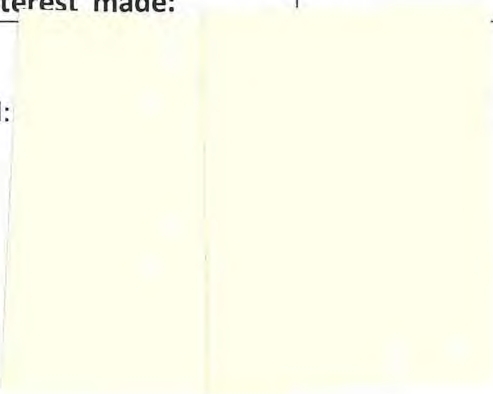


Record of officer decision

Decision title:	Decision to prosecute
Date of decision:	6/2/19
Decision maker:	Acting Assistant Directorate for Regulatory, Environment and Waste Services
Authority for delegated decision:	The chief executive's scheme of delegation
Ward:	Stoney Street
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 2 defendants for offences under Environmental Protection Act 1990 Section 33, 34 and section 1 of the control of pollution act 1989
Reasons for decision:	<p>In September 2018 a land owner reported a substantial fly tip in one of their fields. The fly tip contained house hold items and details of the owner. The owners of the waste were traced and they had employed one of the defendants to remove the waste and dispose of properly. During the investigation evidence revealed that waste for other collections was being taken back to their home address and disposed of by burning.</p> <p>One defendant admitted collecting the waste and was not able to provide any transfer notes for the disposal of the waste. The second defendant admitted burning waste at their home address which had been collected by defendant one.</p> <p>(i) If legal proceedings are not instigated, then it is likely that he will repeat offend;</p> <p>(ii) a prosecution would have a significant positive impact on maintaining community confidence;</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:



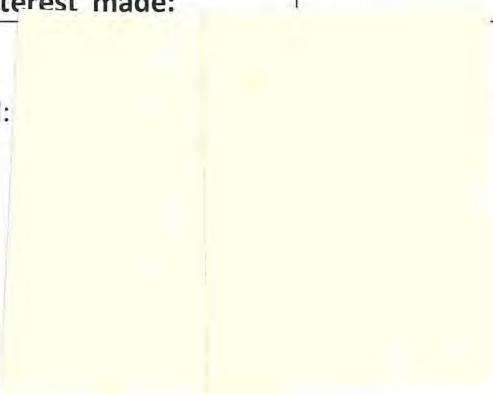
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Details of any alternative options considered and rejected:	None
Details of any declarations of interest made:	None

Signed:



Date:

+ 6/2/19