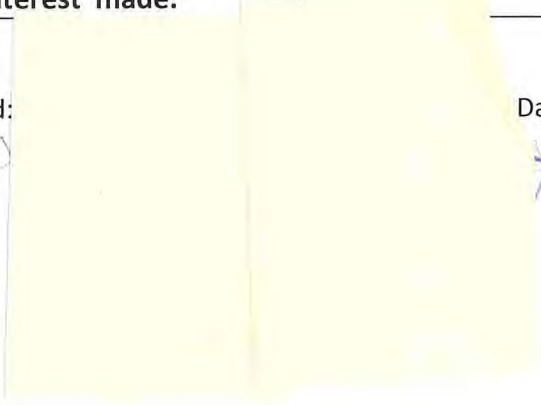


Record of officer decision

Decision title:	Decision to prosecute
Date of decision:	
Decision maker:	Acting Assistant Directorate for Regulatory, Environment and Waste Services
Authority for delegated decision:	The chief executive's scheme of delegation
Ward:	Ross East
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 2 defendants for littering offences under section 87 of the environmental protection act 1990.
Reasons for decision:	<p>The Maltings in Ross on Wye started to find a rise in litter and household waste being dumped on the area. On looking through the Household waste with both defendants names and addresses which was local to the area. An Officer hand delivered letters to the address requesting that the defendants attended an interview. One of the defendants took the letters and threw them on the floor. The defendants did not attend the interview.</p> <p>The evidential test is met in this instance as through statements and packaging containing the defendants name and address.</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:

1/5/2019

X