Insert

Insert

Insert

Insert

Princes House

Princes Street

Dorchester

Dorset

DT1 1TP

Telephone: 01305 22

Website: www.dorsetcouncil.gov.uk/recycle

Email: insert@dorsetcouncil.gov.uk

Date:

Penalty notice number:

**Civil Penalty Notice – Littering from a moving vehicle**

Litter from Vehicle – s88A, Environmental Protection Act 1990

Littering from Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018

It is alleged that a littering offence occurred on (insert date, time and location) from the vehicle listed below:

 **(INSERT make, model, colour, registration number, opening from which litter was thrown)**

The (item description) was thrown and left and there was no attempt made to pick up the (litter description). Please note that details of this offence have already been recorded.

As the registered keeper of the vehicle you have 28 days to pay a penalty notice of £100 (reduced to £75 if paid within 14 days). If the penalty notice is not paid within 28 days, it will double to £200. Payment of the Penalty Notice discharges you from liability. Any unpaid penalty notices can be recovered as a civil debt.

You may make payment to the Dorset Council’s Waste Enforcement Team in one the following ways:

* **BY POST -** Payment may be made by cheque and made payable to Dorset Council and sent to The Dorset Council’s Waste Enforcement Team, Princes House, Princes Street, Dorchester, DT1 1TP**.** Please write your penalty notice number and your address on the reverse of the cheque.
* **BY CASH -** Payment should be sent to the same address by Registered Post only. A receipt will only be sent to you if you provide a stamped addressed envelope.
* **BY TELEPHONE -** Please contact Dorset Council, Income Payable Team on 01305 228622.

You have a right to make a written representation to appeal the penalty notice, within 28 days, on one of the following grounds:

|  |  |
| --- | --- |
| Ground A | That the littering offence in question did not occur |
| Ground B | That the person was not the keeper of the vehicle at the time of the littering offence because the person became the keeper of the vehicle after the littering offence occurred. |
| Ground C | That the person was not the keeper of the vehicle at the time of the littering offence because the person had disposed of the vehicle to another person before the littering offence occurred. |
| Ground D | That the person was not the keeper of the vehicle at the time of the littering offence because the vehicle was a stolen vehicle when the littering offence occurred. |
| Ground E | That the person1. was engaged in the hiring of vehicles in the course of a business at the time of the littering offence, and
2. was not the keeper of the vehicle at that time by virtue of a vehicle hire agreement.
 |
| Ground F | That the person was not the keeper of the vehicle at the time of the littering offence for a reason not mentioned in grounds B to E.  |
| Ground G | That the litter authority was not, by virtue of regulation 4 (5), authorised to give the person a penalty notice.  |
| Ground H | That the person is not liable to pay the fixed penalty by virtue of regulation 12.  |
| Ground I | That liability to pay the fixed penalty has been discharged in the circumstances set out in regulation 13.  |
| Ground J | That the fixed penalty exceeds the amount payable under these regulations.  |
| Ground K | That the litter authority has failed to observe any requirement imposed on it by these Regulations in relation to the imposition of recovery of the fixed penalty.  |
| Ground L | That there are compelling reasons why, in the particular circumstances of the case, the penalty notice should be cancelled (whether or not any of grounds A to K apply).  |

Dorset Council’s Waste Enforcement Team will respond to written representations within 56 days of receiving them. If Dorset Council’s Waste Enforcement Team rejects the written representation, you have a right to appeal to an independent adjudicator within 28 days from the day the notice of rejection is given. The independent adjudicator is the Traffic Penalty Tribunal and they operate an online appeals system (FOAM).

All communications can be made to:

Dorset Council’s Waste Enforcement Team

Princes House

Princes Street

Dorchester

Dorset

DT1 1TP

Telephone: 01305 221040

Email: wasteteam@dorsetcouncil.gov.uk