
DRAFT STATUTORY INSTRUMENTS

2018 No.

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

PART 4

Representations and appeals

Functions of litter authority following representations

- 15.**—(1) A litter authority which receives representations under regulation 14 must—
- (a) consider them and any supporting evidence which the person making the representations provides, and
 - (b) decide whether or not it accepts that one or more of the grounds in regulation 14 applies.
- (2) If the litter authority accepts that one or more of the grounds in regulation 14 applies, it must cancel the penalty notice and inform the person who made the representations of the cancellation in writing.
- (3) If the litter authority does not accept that one or more of the grounds in regulation 14 applies, it must give a notice of rejection to the person who made the representations.
- (4) A notice of rejection is a notice informing the person who made the representations that the litter authority does not accept that one or more grounds in regulation 14 applies.
- (5) The notice of rejection must state —
- (a) the litter authority’s decision and the reasons for it,
 - (b) that the person has a right to appeal to an adjudicator within the period of 28 days beginning with the day on which the notice of rejection is given,
 - (c) in general terms, the form and manner in which an appeal to an adjudicator may be made, and
 - (d) that an adjudicator has power to award costs against a person appealing against the decision set out in the notice of rejection.
- (6) The litter authority must carry out its functions under this regulation within the period of 56 days beginning with the day on which the representations are received.
- (7) If a litter authority fails to comply with this regulation, it is deemed to have—
- (a) decided that it accepts that one or more of the grounds in regulation 14 applies, and
 - (b) cancelled the penalty notice under paragraph (2).