
DRAFT STATUTORY INSTRUMENTS

2018 No.

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

PART 4

Representations and appeals

Appeals against notice of rejection

16.—(1) A person who is given a notice of rejection (see regulation 15(3) to (5)) may appeal against it.

(2) The appeal must be made to an adjudicator (see regulation 18).

(3) The appeal must (except in the circumstances described in paragraph (4)) be made within the period of 28 days beginning with the day on which the notice of rejection is given.

(4) An adjudicator may allow a longer period within which an appeal may be made (whether or not the period of 28 days has expired).

(5) If the adjudicator concludes that one or more of the grounds in regulation 14 applies, the adjudicator must allow the appeal.

(6) Where an appeal is allowed, the adjudicator may give written directions to the litter authority which the adjudicator considers appropriate for the purpose of giving effect to the adjudicator's decision.

(7) Despite not allowing an appeal, an adjudicator may give a written recommendation to the litter authority that it cancel the penalty notice if the condition in paragraph (8) is met.

(8) The condition is that the adjudicator is satisfied that there are compelling reasons why, in the particular circumstances of the case, the penalty notice should be cancelled.

(9) An adjudicator must dismiss an appeal if the adjudicator concludes that—

(a) none of the grounds in regulation 14 applies, and

(b) there are no compelling reasons why the penalty notice should be cancelled.