
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Littering From Vehicles Outside London (Keepers: Civil Penalties) Regulations 2018 (S.I. 2018/171, “the 2018 Regulations”).

Regulation 4 amends the 2018 Regulations by inserting new regulation 6A which provides a power for a litter authority to issue an enforcement notice.

Regulation 5 amends regulation 7 of the 2018 Regulations to provide that a litter authority may recover any amounts of a fixed penalty which remain unpaid 14 days after an enforcement notice has been served.

Regulation 6 inserts new regulation 7A which provides for a witness statement to be made by a person against whom a county court order has been made under regulation 7. If the witness statement is made in accordance with paragraphs (1) to (3), the consequences described in paragraph (4) take effect, including the county court order being treated as revoked. In such circumstances, paragraphs (5) to (7) apply so as to govern the issue of a fresh penalty notice or the referral of the case to an adjudicator by the litter authority. Regulation 8 makes consequential amendments to regulation 19 of the 2018 Regulations relating to the application with modifications of the Schedule to the Road User Charging Schemes (Penalty Charges, Adjudication and Enforcement) (England) Regulations 2013 (S.I. 2013/1783) (which relates to procedure in adjudication proceedings) to the 2018 Regulations.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.