

South Derbyshire Littering from Vehicles Public Spaces Protection Order 2023



Notice is hereby given that South Derbyshire District Council ("the Council") has made the following Public Spaces Protection Order under section 59 of the Anti-Social Behaviour, Crime and Policing Act 2014 ("the Act"):

1. The Order may be cited as the South Derbyshire Littering from Vehicles Public Spaces Protection Order and came into force on 27th January 2023 for a duration of 3 years.
2. This Order applies to all land open to the public within the District of South Derbyshire.

Offence

3.—(1) A littering contravention in relation to a vehicle occurs when any person in or on a vehicle throws down, drops or otherwise deposits any litter in any place to which section 87 of the Environmental Protection Act 1990 applies and leaves it.

(2) The registered keeper of the vehicle shall for the purposes of this Order be treated as knowingly causing the littering contravention whether or not he gave any instructions for this to be done.

(3) The registered keeper of the vehicle shall not be held liable for an offence where the vehicle is—

- (a) a public service vehicle
- (b) a licensed hackney carriage
- (c) a private hire vehicle

and the person acting in contravention under this section is a passenger in that vehicle.

(4) The registered keeper of the vehicle for the purposes of paragraph 3(1) of this Order shall be taken to be the person in whose name the vehicle was registered with DVLA.

(5) A vehicle for the purposes of this Act is a motor vehicle as defined by the Road Traffic Act 1988

Penalty

4. A person who is guilty of an offence under article 3 shall under section 67 of the Act be liable on summary conviction to a fine not exceeding level 3 on the standard scale or a fixed penalty notice of a fee set by the relevant Council Committee not exceeding a maximum of £100.

The Common Seal of South Derbyshire District Council
was hereunto affixed this 15 day of November 2022
in the presence of :



1297

Chairman of the Council

A handwritten signature in black ink, appearing to be 'P. H.' or similar, written over the printed title.

A handwritten signature in black ink, appearing to be 'K. W. J. L.', written over the printed title.

Chief Executive — Strategic Director