

**Environment Select Committee
18 July 2011**

In response to the request raised by Councillor Walmsley at the Environment Select Committee meeting 20 June 2011, we provide the following information on littering prosecutions.

We issue fixed penalty notices (FPN) for individuals depositing litter as pedestrians in any area open to the public on at least one side, litter deliberately discharged from motor vehicles, and litter irresponsibly lost from commercial vehicles such as badly sheeted skip wagons.

Stockton Council follows the Defra guidelines on issuing to over 17's and in exceptional circumstances such as alcohol related litter to under 17's.

Litter includes fruit, cigarettes, chewing gum in accordance with Clean Neighbourhoods and Environment Act 2005. The description of the offence is to drop, throw, or otherwise deposit litter and leave it. Litter FPNs are issued at £70 and discounted to £50 if paid within first 7 days. For persons on low income or financial pressures we allow scheduled payments but court if they lapse, the maximum penalty at court if convicted could be £2,500.

Officers demonstrate discretion in assessing and separating accidental litter from pocket e.g. when taking out a handkerchief to those who throw and discard litter, consider the infirm or mentally ill and issue fixed penalty notices robustly where individuals are littering deliberately without care. The latter do not require a warning first the FPN is instant.

The total number of fixed penalty notices issued and paid over the last two years are provided in the table below.

Number of Fixed Penalty Notices Issued and Paid 2009/10

	Issued	Paid
LITTERING (X48)	169	118 including 5 prosecutions
LITTER FROM VEHICLE (X67)	220	165 including 2 prosecutions

Number of Fixed Penalty Notices Issued and Paid 2010/11

	Issued	Paid
LITTERING (X48)	106	69
LITTER FROM VEHICLE (X67)	155	119