

***Litter Clearing Notice – Model Form***

**ENVIRONMENTAL PROTECTION ACT 1990  
SECTION 92A(1)**

The ..... (*name of principal litter authority issuing notice*), being satisfied that the land described in paragraph 2 of this Notice is defaced by litter or refuse so as to be detrimental to the amenity of the locality, hereby requires by way of this Notice that:

1

Name of occupier or owner: .....

Address: .....

- i. Clears the land of litter and refuse so as to restore it to .....  
(*standard for clearance, e.g a grade B in accordance with the Code of Practice on Litter and Refuse*) within ..... (*time period for compliance, e.g 28 days*) from the date on which this notice is served.
  
- i. And in addition, (the .....(*name of principal litter authority*)) being satisfied that the land is likely to become defaced by litter or refuse again), takes the following steps to prevent the land from becoming so defaced:

(*specify steps, e.g.*

*Carry out a fortnightly inspection of the site, and remove any litter.*)

(*Delete ii above if not applicable*).

2

The land in relation to which this Notice applies is that land in the area of [*name of principal litter authority*] which -

- i. is delineated and shown (*describe colouring or other method used to identify the land on the map*) on the map forming part of this Notice, and
- ii. is briefly described in the Schedule to this Notice.

3

An appeal against this notice may be made to a magistrates' court within 21 days from the date on which it is served, on the grounds that:

- there is a material defect or error in, or in connection with, this notice;
- this notice should have been served on another person;
- the land is not defaced by litter or refuse so as to be detrimental to the amenity of the locality; or
- the action required is unfair or unduly onerous.

4

If you fail without reasonable excuse to comply with the requirement(s) in paragraph 1:

- you may be prosecuted. If you are prosecuted and convicted the maximum penalty is a fine not exceeding level 4 on the standard scale (currently £2,500);
- you may, in the alternative, be given the opportunity of accepting in lieu of prosecution a fixed penalty, in the amount of either £100 or at a level set by the principal litter authority within a range of £75 to £110. (*delete if not applicable*)

In addition to the above:

- the local authority may enter your land, clear the litter or refuse, and charge you for the costs incurred.

SCHEDULE

*(Description of land)*

DATE

