



factsheet

Leisure and Environment

DISTRIBUTING LITERATURE: THE FACTS

Is It An Offence To Distribute Free Literature?

YES, under section 94B of and Schedule 3A to the Environmental Protection Act 1990, as inserted by the Cleaner Neighbourhoods Act 2005 it is an offence to distribute free literature in a designated area without consent from the principal litter authority (Charnwood Borough Council).

It is also an offence to cause another person to distribute free printed matter in a designated area without consent.

The person commissioning the actual distributor therefore also commits an offence.

In this case there is no requirement for the person concerned to know that the land is designated.

Those organising the distribution of free printed matter are expected to inform themselves of the existence of designated areas.

What Is Defined As Free Literature?

This is usually in the form of printed matter, usually for advertising purposes - this could include flyers, leaflets, newspapers etc.

The exceptions to the provisions are where the distribution is for political, charitable or religious purposes so as not to inhibit the right of expression and freedom of thought, conscience and religion

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as enshrined in the European Convention of Human Rights and the Human Rights Act 1998.

What will Charnwood Borough Council Do To Enforce This?

The Council will designate areas of Charnwood where you will need consent to distribute free literature. These areas will then be published.

After the publication of the designated areas it will be an offence to distribute free literature in that area without prior consent from the council.

If you are caught committing the offence you are liable to a fine and prosecution of up to £2,500 in a magistrate's court.

To avoid prosecution you will be offered an £80 fixed penalty notice (fine) to discharge your liability and court proceedings if payment is received within 14 days of the notice.

This is discounted to £50 for early payment within 10 days.

If the penalty is refused or not paid then court proceedings will begin.

FURTHER DETAILS:

ONLINE: www.charnwood.gov.uk

TEL: (01509) 634563



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This information is available in different formats. To access these please phone (01509) 634560.

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這資料具不同的格式，請致電 (01509) 634560 索取。

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