

*Changes to legislation: Environmental Protection Act 1990, Cross Heading: Consent and conditions is up to date with all changes known to be in force on or before 26 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 3A **E+W**

#### FREE DISTRIBUTION OF PRINTED MATTER ON DESIGNATED LAND

##### Textual Amendments

- F1** Sch. 3A inserted (E.W.) (6.4.2006 for E. and 15.3.2007 for W.) by [Clean Neighbourhoods and Environment Act 2005 \(c. 16\), ss. 23\(2\), 108; S.I. 2006/795, art. 2\(3\), Sch. 2; S.I. 2006/2797, art. 4\(j\)](#)

##### *Consent and conditions*

- 3 (1) A principal litter authority may on the application of any person consent to that person or any other person (identified specifically or by description) distributing free printed matter on any land designated by the authority under this Schedule.
- (2) Consent under this paragraph may be given without limitation or may be limited—
- (a) by reference to the material to be distributed;
  - (b) by reference to a particular period, or particular times or dates;
  - (c) by reference to any part of the designated land;
  - (d) to a particular distribution.
- (3) A principal litter authority need not give consent under this paragraph to any applicant where it considers that the proposed distribution would in all the circumstances be likely to lead to defacement of the designated land.
- (4) Consent need not be given to any applicant if within the period of five years ending on the date of his application—
- (a) he has been convicted of an offence under paragraph 1 above; or
  - (b) he has paid a fixed penalty under paragraph 7 below.
- (5) Consent may be given under this paragraph subject to such conditions as the authority consider necessary or desirable for—
- (a) protecting the designated land from defacement; or
  - (b) the effective operation and enforcement of this Schedule.
- (6) The conditions which may be imposed by a principal litter authority under this paragraph include conditions requiring any person distributing printed matter pursuant to consent given under this paragraph to produce on demand written evidence of the consent to an authorised officer of the authority.
- (7) Consent given by a principal litter authority under this paragraph may at any time be revoked (entirely or to any extent) by notice to the person to whom it was given, where—
- (a) he has failed to comply with any condition subject to which it was given; or

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- (b) he is convicted of an offence under paragraph 1 above or pays a fixed penalty under paragraph 7 below.
- (8) Any condition imposed under this paragraph in relation to any consent may be varied or revoked by notice given to the person to whom the consent was given.]

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 30(4A) inserted by [2021 c. 30 s. 57\(2\)](#)
- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 45A-45AZG substituted for s. 45A by [2021 c. 30 s. 57\(4\)](#)
- s. 46(2)(a)(b) substituted for words by [2021 c. 30 s. 57\(5\)](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)