

Status: Point in time view as at 06/04/2006.

Changes to legislation: Environmental Protection Act 1990, Cross Heading: Designation is up to date with all changes known to be in force on or before 20 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)

SCHEDULES

[^{F1}SCHEDULE 3A

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\(j\)](#)

Designation

- 2 (1) A principal litter authority may by order in accordance with this paragraph designate land in its area for the purposes of this Schedule.
- (2) The land designated must consist of—
- (a) relevant land of the authority;
 - (b) all or part of any relevant highway for which the authority is responsible; or
 - (c) both.
- (3) A principal litter authority may only designate land where it is satisfied that the land is being defaced by the discarding of free printed matter which has been distributed there.
- (4) Where a principal litter authority proposes to make an order under sub-paragraph (1) above in respect of any land, it must—
- (a) publish a notice of its proposal in at least one newspaper circulating in an area which includes the land; and
 - (b) post such a notice on the land.
- (5) A notice under sub-paragraph (4) above must specify—
- (a) the land proposed to be designated;
 - (b) the date on which it is proposed that the order is to come into force (which may not be earlier than the end of a period of 28 days beginning with the day on which the notice is given);
 - (c) the fact that objections may be made to the proposal, how they may be made and the period within which they may be made (being a period of at least 14 days beginning with the day on which the notice is given).
- (6) Where after giving notice under sub-paragraph (4) above and taking into account any objections duly made pursuant to sub-paragraph (5)(c) above an authority decides to make an order under sub-paragraph (1) above in respect of any or all of the land in respect of which the notice was given, the authority must—
- (a) publish a notice of its decision in at least one newspaper circulating in an area which includes the land; and
 - (b) post such a notice on the land.

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- (7) A notice under sub-paragraph (6) above must specify the date on which the order is to come into force, being a date not earlier than—
 - (a) the end of the period of 14 days beginning with the day on which the notice is given; and
 - (b) the date referred to in sub-paragraph (5)(b) above.
- (8) A principal litter authority may at any time revoke an order under sub-paragraph (1) above in respect of any land to which the order relates.
- (9) A principal litter authority must—
 - (a) publish a notice of any revocation under sub-paragraph (8) above in at least one newspaper circulating in an area which includes the land in question; and
 - (b) post such a notice on the land.
- (10) Sub-paragraph (1) above does not apply to an English county council for an area for which there is a district council.]

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