

These notes refer to the Clean Neighbourhoods and Environment Act 2005 (c.16) which received Royal Assent on 7 April 2005

CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 9: Miscellaneous

Pollution

Section 105 Offences relating to pollution etc: penalties on conviction

267. [Section 105](#) raises the penalties available to the courts for offenders found guilty of offences under paragraph 25 of Schedule 1 to the Pollution Prevention and Control Act 1999. These offences relate to, for example, contravention of the requirement for a permit to operate an installation or mobile plant, failure to comply with or to contravene a condition of a permit and failure to comply with the requirements of an enforcement notice or a suspension notice.
268. This section increases the maximum fines available on summary conviction from £20,000 to £50,000.
269. *Subsection (2)* raises the maximum sentence available on summary conviction from six to twelve months, in line with a change made by section 154(1) of the [Criminal Justice Act 2003 \(c.44\)](#).