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Changes to legislation: Clean Neighbourhoods and Environment Act 2005, SCHEDULE 5 is up to date with all changes known to be in force on or before 23 January 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

SCHEDULE 5

Section 107

REPEALS

PART 1

VEHICLES

Commencement Information

- I1** Sch. 5 Pt. 1 in force at 18.10.2005 for specified purposes for E. by S.I. 2005/2896, art. 3(j)
I2 Sch. 5 Pt. 1 is partly in force; Sch. 5 Pt. 1 in force for certain purposes at 7.6.2005, see s. 108(4)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Refuse Disposal (Amenity) Act 1978 (c. 3)	In section 3— (a) subsection (5); (b) in subsection (8), the words from “, other than” to “subsection (5) above.” In section 4— (a) in subsection (1), the words from “but not earlier” to the end; (b) subsection (2).
Greater London Council (General Powers) Act 1982 (c.i)	Section 5.
Road Traffic Regulation Act 1984 (c. 27)	Section 99(4). In section 101(3)— (a) in paragraph (a), the words from “and on which” to “at the time of its removal”; (b) the words from “but, in a case” to the end.
London Local Authorities Act 2004 (c. i)	Section 3. Section 11.

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VALID FROM 06/04/2006

PART 2

LITTER AND REFUSE

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Environmental Protection Act 1990 (c. 43)	Section 86(12). Section 89(1)(g) and the preceding “and”. Section 90. Section 91(1)(g) and the preceding “or”. In section 92— (a) subsection (1)(d) and the preceding “or”; (b) subsection (3)(d). In section 94(3), the words from “but a specified area” to the end. Section 95(1)(a).
London Local Authorities Act 1994 (c. xii)	Section 4.
City of Newcastle upon Tyne Act 2000 (c. viii)	Sections 21 and 22.

PART 3

GRAFFITI AND OTHER DEFACEMENT

Commencement Information

I3 Sch. 5 Pt. 3 is partly in force; Sch. 5 Pt. 3 in force for certain purposes at 7.6.2005, see s. 108(4)

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Town and Country Planning Act 1990 (c. 8)	Section 324(3)(a).
London Local Authorities Act 1995 (c. x)	Section 10.
Anti-social Behaviour Act 2003 (c. 38)	Section 43(10) and (11).
London Local Authorities Act 2004 (c. i)	Section 25.

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PART 4

WASTE

Commencement Information

- I4** Sch. 5 Pt. 4 in force for certain purposes at 7.6.2005, see s. 108(4)
- I5** Sch. 5 Pt. 4 in force at 18.10.2005 for specified purposes for E. by [S.I. 2005/2896](#), [art. 3\(k\)](#) (with [art. 6](#)) (as amended by [S.I. 2006/1002](#), art. 2)
- I6** Sch. 5 Pt. 4 in force at 16.3.2006 for specified purposes for W. by [S.I. 2006/768](#), [art. 2\(d\)](#) (with [art. 5](#)) (as amended by [S.I. 2006/2797](#), art. 11)

Short title and chapter

Control of Pollution (Amendment) Act 1989
(c. 14)

Environmental Protection Act 1990 (c. 43)

Extent of repeal

Section 1(4)(c) and the preceding “or”.
In section 2—
(a) in subsection (2)(c), the words “free of charge”;
(b) subsection (2)(d);
(c) in subsection (2)(e), the words “free of charge”;
(d) subsection (3)(b);
(e) subsection (3A)(a).
Section 6.

Section 30(5).
Section 32.
Section 33(7)(b).
In section 48—
(a) in subsection (4), the words “with a waste disposal contractor” and “for the contractor”;
(b) in subsection (6), the words “, subject to subsection (7) below,”;
(c) subsection (7).
In section 51—
(a) in subsection (1), the words from “in either case” to the end;
(b) subsection (4)(b) to (d);
(c) subsections (5) and (6).
In section 55(2)(a) and (b), the words “with waste disposal contractors for them”.
In section 60(2)(a) and (b), the word “, contractor”.
In section 77—
(a) in subsection (1), the definitions of “existing disposal authority”, “existing disposal plan”, “relevant part of its undertaking” and “the vesting date”;
(b) subsection (4);
(c) subsections (6) to (9).
Schedule 2.

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PART 5

DOG CONTROLS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Dogs (Fouling of Land) Act 1996 (c. 20)	The whole Act.
Police Reform Act 2002 (c. 30)	In Schedule 4, paragraph 1(2)(c). In Schedule 5, paragraph 1(2)(b).

VALID FROM 06/04/2008

PART 6

STRAY DOGS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Dogs Act 1906 (c. 32)	Sections 3 and 4.
Dogs (Amendment) Act 1928 (c. 21)	Section 2.
Local Government Act 1988 (c. 9)	Section 39.
Environmental Protection Act 1990 (c. 43)	In the heading to section 150, the words “police or”. In section 150— (a) in subsection (1), in paragraph (b), sub-paragraph (ii) and the preceding “or”; (b) in that subsection, the words from “or the police officer” to “as the case may be,”. In Schedule 15, paragraph 3.

VALID FROM 06/04/2006

PART 7

NOISE

<i>Short title and chapter</i>	<i>Extent of repeal</i>
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London Local Authorities Act 1991 (c. xiii)	Section 23.
Noise and Statutory Nuisance Act 1993 (c. 40)	Section 9. Schedule 3.
Noise Act 1996 (c. 37)	In the heading to section 2, the words “from a dwelling”. Section 8(8). Section 9(3). In section 9(4A), the word “and” at the end of paragraph (a).

PART 8

ARCHITECTURE AND THE BUILT ENVIRONMENT

Commencement Information

I7 Sch. 5 Pt. 8 in force at 1.1.2006 by S.I. 2005/3439, art. 2

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Environmental Protection Act 1990	In section 153(1), the paragraph (rr) inserted by article 2 of the Financial Assistance for Environmental Purposes (England) Order 2003 (S.I. 2003/714).

VALID FROM 06/04/2006

PART 9

USE OF FIXED PENALTY RECEIPTS

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Local Government Act 2003 (c. 26)	Section 100(2)(f). Section 119.
Anti-social Behaviour Act 2003 (c. 38)	Section 45(3) to (9).

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VALID FROM 04/08/2006

PART 10

CONTAMINATED LAND

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Environmental Protection Act 1990 (c. 43)	In section 78L— <ol style="list-style-type: none"> (a) in subsection (4), paragraph (b) and, in paragraph (c), the words from “or on” to the end; (b) in subsection (6), the words “, so far as relating to appeals to the Secretary of State,”.

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