



Clean Neighbourhoods and Environment Act 2005

2005 CHAPTER 16

PART 9

MISCELLANEOUS

Shopping and luggage trolleys

99 Abandoned shopping and luggage trolleys

- (1) Schedule 4 to the Environmental Protection Act 1990 (c. 43) is amended as follows.
- (2) In paragraph 3(2) (retention, return and disposal of trolleys: notice to owner) for “seized or removed” substitute “seized and removed”.
- (3) After paragraph 3 insert—

- “3A
- (1) This paragraph applies where the local authority is entitled to sell or otherwise dispose of a shopping or luggage trolley in accordance with paragraph 3(1)(b).
 - (2) If it appears to the authority that a particular person is the owner of the trolley, the authority may charge him a sum in respect of the removal, storage and disposal of the trolley.
 - (3) The charge is payable to the authority on demand.
 - (4) The sum payable as a charge under this paragraph is recoverable by the authority as a debt due to it.
 - (5) In proceedings against a person under sub-paragraph (4) for enforcement of a charge, it is a defence for the person to prove that he was not the owner of the trolley to which the charge relates at the time it was removed.”

Status: Point in time view as at 27/10/2006.

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- (4) In paragraph 4 (charges)—
- (a) in sub-paragraph (1)—
 - (i) for the words from “in fixing” to “sufficient” substitute “ in fixing the charges to be paid under this Schedule, shall secure that the charges so payable are such as are sufficient ”, and
 - (ii) for “such trolleys” substitute “ shopping or luggage trolleys ”, and
 - (b) in sub-paragraph (2), after “paragraph 3” insert “ or 3A ”.

Commencement Information

- I1** S. 99 in force at 6.4.2006 for E. by S.I. 2006/795, art. 2(3), Sch. 2
- I2** S. 99 in force at 27.10.2006 for W. by S.I. 2006/2797, art. 2(r)

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