

1967 No. 1240

PUBLIC HEALTH, ENGLAND AND WALES

The Removal of Refuse Regulations 1967

<i>Made</i> - - - -	15th August 1967
<i>Laid before Parliament</i>	23rd August 1967
<i>Coming into Operation</i>	24th August 1967

The Minister of Housing and Local Government, in relation to England excluding Monmouthshire, and the Secretary of State, in relation to Wales and Monmouthshire, in exercise of their respective powers under section 23(2) of the Civic Amenities Act 1967(a), and of all other powers enabling them in that behalf, hereby make the following regulations:—

1. These regulations may be cited as the Removal of Refuse Regulations 1967 and shall come into operation on 24th August 1967.

2. The Interpretation Act 1889(b) shall apply to the interpretation of these regulations as it applies to the interpretation of an Act of Parliament.

3.—(1) For the purposes of section 23(2) of the Civic Amenities Act 1967 a local authority shall give notice to a person that they propose to remove a thing from land by serving on him a notice in the form set out in the Schedule hereto or in a form substantially to the like effect.

(2) Section 214 of the Town and Country Planning Act 1962(c) (which relates to service of notices) shall apply to a notice required to be served under the preceding paragraph of this regulation as it applies to a notice required to be served under that Act.

4. Within 15 days of the service of the notice under the preceding regulation, the person on whom the notice is served may object to the local authority's proposal by notice in writing delivered at or sent by post to the office of the authority addressed to that authority or to their clerk.

(a) 1967 c. 69.

(b) 52 & 53 Vict. c. 63.

(c) 10 & 11 Eliz. 2. c. 38.

SCHEDULE**NOTICE TO BE SERVED BY LOCAL AUTHORITY ON OCCUPIER OF LAND
CIVIC AMENITIES ACT 1967
Section 23****Notice of proposed removal of refuse**

TO
The
of
Council

In pursuance of their powers under section 23 of the Civic Amenities Act 1967 **HEREBY GIVE YOU NOTICE** that they propose to remove from the land described in the first appendix hereto the things described in the second appendix hereto which appear to them to have been abandoned on the said land without lawful authority **UNLESS** within 15 days of the service of this notice you object by notice in writing delivered at or sent by post to the office of that authority addressed to that authority or to their clerk.

Dated
Signed
Clerk of the Local Authority.

FIRST APPENDIX
Description of the land

SECOND APPENDIX
Description of the things

Given under the official seal of the Minister of Housing and Local Government on 15th August 1967.

F. T. Willey,
Minister of State.

Eirene White,
Minister of State.

Welsh Office.
15th August 1957.

EXPLANATORY NOTE

(This Note is not part of the Regulations.)

Section 23 of the Civic Amenities Act 1967 empowers local authorities (councils of county boroughs, county districts, London boroughs and the Common Council of the City of London) to remove any thing in their area, other than a motor vehicle, which is abandoned without lawful authority on any land in the open air or on any other land forming part of a highway.

These regulations prescribe, for use in connection with the exercise of those powers, the form of notice by a local authority to the occupier of land of their proposal to remove the refuse, the time within which the occupier may object to the proposal, and the manner of service of such notices and objections.