

---

STATUTORY INSTRUMENTS

---

**2007 No. 390 (C. 15)**

**ENVIRONMENTAL PROTECTION, ENGLAND**

**The Clean Neighbourhoods and Environment Act  
2005 (Commencement No.4) (England) Order 2007**

*Made - - - - 13th February 2007*

The Secretary of State makes the following Order in exercise of the powers conferred by section 108(1)(a) of the Clean Neighbourhoods and Environment Act 2005<sup>(1)</sup>:

**Citation and application**

**1.**—(1) This Order may be cited as the Clean Neighbourhoods and Environment Act 2005 (Commencement No. 4) (England) Order 2007.

(2) In this Order “the 2005 Act” means the Clean Neighbourhoods and Environment Act 2005.

(3) This Order applies in England.

**Commencement of provisions**

**2.** The following provisions of the 2005 Act shall come into force on 6th March 2007—

- (a) paragraphs 5 to 9 of Schedule 4 (making minor amendments to the Environmental Protection Act 1990<sup>(2)</sup>);
- (b) paragraphs 14 to 19 of Schedule 4 (making minor amendments to the Anti-social Behaviour Act 2003<sup>(3)</sup>);
- (c) Part 2 of Schedule 5 to the extent it is not already in force (repealing certain provisions of the Environmental Protection Act 1990); and
- (d) Part 9 of Schedule 5 to the extent it is not already in force.

---

(1) 2005 c.16.  
(2) 1990 c.43.  
(3) 2003 c.38.

13th February 2007

*Ben Bradshaw*  
Minister of State  
Department for Environment, Food and Rural  
Affairs

**EXPLANATORY NOTE***(This note is not part of the Order)*

This Order brings into force various provisions of the Clean Neighbourhoods and Environment Act 2005 which make some minor amendments to the Environmental Protection Act 1990 and the Anti-social Behaviour Act 2003. It also brings into force Parts 2 and 9 of Schedule 5 of the Clean Neighbourhoods and Environment Act 2005 to the extent they are not already in force which repeal certain provisions of the Environmental Protection Act 1990 and the Anti-social Behaviour Act 2003.

**NOTE AS TO EARLIER COMMENCEMENT ORDERS***(This note is not part of the Order)*

The following table shows the extent to which the provisions of the Clean Neighbourhoods and Environment Act 2005 have been brought into force by commencement orders made before the date of this Order.

| <i>Provision</i>                               | <i>Date of Commencement</i>        | <i>S.I. No.</i>                                 |
|--|------------------------------------|---|
| Section 2 as to England                        | 1st April 2006                     | <a href="#">2006/795 (C.19)</a>                 |
| Section 6 as to England                        | 14th March 2006 and 6th April 2006 | <a href="#">2006/795 (C.19)</a>                 |
| Section 7 as to England                        | 6th April 2006                     | <a href="#">2006/795 (C.19)</a>                 |
| Section 8 as to England                        | 14th March 2006 and 6th April 2006 | <a href="#">2006/795 (C.19)</a>                 |
| Section 9 as to England                        | 14th March 2006                    | <a href="#">2006/795 (C.19)</a>                 |
| Section 10 as to England                       | 6th April 2006                     | <a href="#">2006/795 (C.19)</a>                 |
| Section 11 to 13 and 15 to 17 as to England    | 18th October 2005                  | <a href="#">2005/2896<sup>(1)</sup> (C.122)</a> |
| Section 19 as to England                       | 14th March 2006 and 6th April 2006 | <a href="#">2006/795 (C.19)</a>                 |
| Sections 20 to 25 and 28 and 29 as to England  | 6th April 2006                     | <a href="#">2006/795 (C.19)</a>                 |
| Section 30 as to England                       | 14th March 2006 and 6th April 2006 | <a href="#">2006/795 (C.19)</a>                 |
| Section 31 as to England                       | 6th April 2006                     | <a href="#">2006/795 (C.19)</a>                 |
| Section 32 as to England and Wales             | 1st July 2005                      | <a href="#">2005/1675 (C.69)</a>                |
| Sections 34, 37 (in part) and 38 as to England | 6th April 2006                     | <a href="#">2006/795 (C.19)</a>                 |
| Sections 42 to 44 as to England and Wales      | 18th October 2005                  |   |
| Section 45 as to England                       | 6th April 2006                     | <a href="#">2006/795(C.19)</a>                  |

(1) [S.I. 2005/2896 \(C.122\)](#) was amended by [S.I. 2006/1002 \(C.31\)](#).

(2) For the commencement of section 83(2), see section 108(4)(i) of the 2005 Act.

*Status: This is the original version (as it was originally made).*

| <i>Provision</i>  | <i>Date of Commencement</i>                             | <i>S.I. No.</i>  |
|---|---|--|
| Section 47 as to England  | 18th October 2005                                       |  |
| Section 48 as to England  | 6th April 2006  | <a href="#">2006/795(C.19)</a>   |
| Section 49 (in part) as to England and Wales                              | 7th March 2006 and 6th April 2006                       | <a href="#">2006/656 (C.16)</a>  |
| Section 50 and 52 as to England   | 6th April 2006  | <a href="#">2006/795(C.19)</a>   |
| Section 53 as to England  | 18th October 2005                                       |  |
| Section 55 as to England  | 14th March 2006 and<br>6th April 2006                   | <a href="#">2006/795(C.19)</a>   |
| Section 56 as to England  | 14th March 2006   | <a href="#">2006/795(C.19)</a>   |
| Section 57 as to England  | 14th March 2006 and<br>6th April 2006                   | <a href="#">2006/795(C.19)</a>   |
| Section 58 as to England  | 6th April 2006  | <a href="#">2006/795(C.19)</a>   |
| Section 59 and 60 as to England   | 14th March 2006 and<br>6th April 2006                   | <a href="#">2006/795(C.19)</a>   |
| Sections 61 to 65 as to England   | 6th April 2006  | <a href="#">2006/795(C.19)</a>   |
| Sections 66 and 67 as to England  | 14th March 2006   | <a href="#">2006/795(C.19)</a>   |
| Sections 69 to 73 as to England   | 6th April 2006  | <a href="#">2006/795(C.19)</a>   |
| Sections 74 and 75 as to England  | 14th March 2006 and<br>6th April 2006                   | <a href="#">2006/795(C.19)</a>   |
| Sections 76 to 79 as to England   | 6th April 2006  | <a href="#">2006/795(C.19)</a>   |
| Sections 80 and 81 as to England  | 14th March 2006   | <a href="#">2006/795(C.19)</a>   |
| Section 82 as to England  | 6th April 2006  | <a href="#">2006/795(C.19)</a>   |
| Section 83 (insofar as not already in force) <sup>(2)</sup> as to England | 14th March 2006   | <a href="#">2006/795(C.19)</a>   |
| Section 84 as to England  | 14th March 2006,<br>6th April 2006 and 1st October 2006 | <a href="#">2006/795(C.19)</a><br>and <a href="#">2006/2006 (C.69)</a> |
| Section 86 as to England  | 6th April 2006  | <a href="#">2006/795(C.19)</a>   |
| Sections 87 to 95 (Part 8) as to England and Wales                        | 1st January 2006  | <a href="#">2005/3439 (C.144)</a>                                      |
| Section 96 as to England  | 14th March 2006 and<br>6th April 2006                   | <a href="#">2006/795(C.19)</a>   |

(1) [S.I. 2005/2896 \(C.122\)](#) was amended by [S.I. 2006/1002 \(C.31\)](#).

(2) For the commencement of section 83(2), see section 108(4)(i) of the 2005 Act.

| <i>Provision</i>  | <i>Date of Commencement</i>           | <i>S.I. No.</i>                   |
|---|---------------------------------------|-----------------------------------|
| Sections 97 and 98 as to England  | 14th March 2006                       | <a href="#">2006/795(C.19)</a>    |
| Sections 99 to 103 as to England  | 6th April 2006                        | <a href="#">2006/795(C.19)</a>    |
| Section 104 and Schedule 5 (partially)  | 4th August 2006                       | <a href="#">2006/1361(C.46)</a>   |
| Paragraphs 2, 7(2)(a) and (3), 8(2), and 12(2), (4),(5) and (6) of Schedule 1 as to England | 14th March 2006 and<br>6th April 2006 | <a href="#">2006/795(C.19)</a>    |
| Schedules 2 and 3 as to England and Wales   | 1st January 2006                      | <a href="#">2005/3439 (C.144)</a> |
| Paragraph 3 (excluding sub-paragraph (5)) of Schedule 4 as to England and Wales             | 6th April 2006                        | <a href="#">2006/656 (C.16)</a>   |
| Paragraph 4 of Schedule 4 and Part 1 of Schedule 5 (in part) as to England                  | 18th October 2005                     |                                   |
| Part 2 of Schedule 5 (in part) and Part 3 of Schedule 5 as to England                       | 6th April 2006                        | <a href="#">2006/795(C.19)</a>    |
| Part 4 of Schedule 5 (in part) as to England  | 18th October 2005                     |                                   |
| Parts 5 and 7 of Schedule 5 as to England   | 6th April 2006                        | <a href="#">2006/795(C.19)</a>    |
| Part 8 of Schedule 5 as to England and Wales  | 1st January 2006                      | <a href="#">2005/3439 (C.144)</a> |
| Part 9 of Schedule 5 (in part) as to England  | 6th April 2006                        | <a href="#">2006/795(C.19)</a>    |

(1) [S.I. 2005/2896 \(C.122\)](#) was amended by [S.I. 2006/1002 \(C.31\)](#).

(2) For the commencement of section 83(2), see section 108(4)(i) of the 2005 Act.