

STATUTORY INSTRUMENTS

1978 No. 1049

**Pollution Control and Local Government
(Northern Ireland) Order 1978**

PART II

WASTE ON LAND

Motor vehicles

Disposal of removed vehicles

31.—(1) Subject to paragraph (5), a district council may, in such manner as it thinks fit, dispose of any vehicle which is in its custody in pursuance of Article 30—

- [^{F1}(a) in the case of a vehicle which in the opinion of the district council is in such a condition that it ought to be destroyed, at any time in the course of or after its removal;
- (b) in the case of a vehicle, not falling within sub-paragraph (a), which—
 - (i) does not display a licence (whether current or otherwise and whether or not the vehicle is required to display a licence), and
 - (ii) does not display any registration mark (whether indicating registration within or outside the United Kingdom),at any time in the course of or after its removal;]
- (c) in any other case, at any time after the council has taken reasonable steps to find a person appearing to it to be the owner of the vehicle and either—
 - (i) the council has failed to find such a person, or
 - (ii) he has failed to comply with a notice served on him by the council requiring him to remove the vehicle within the prescribed period from the custody of the council,

^{F2}

^{F3}(2)

(3) The power to dispose of vehicles conferred on a district council by paragraph (1) includes power—

- (a) to provide plant and apparatus for the purpose of disposing of vehicles; and
- (b) to enter into an agreement with any other person for the provision of facilities by him for the purpose of disposing of vehicles at any place under his control.

(4) A district council by whom a vehicle is disposed of under this Article shall give particulars of the disposal to any person who appears to it to have been the owner of the vehicle immediately before it was disposed of.

(5) If before a vehicle is disposed of by a district council under the foregoing provisions of this Article the vehicle is claimed by a person who satisfies the council that he is its owner and pays to the council any expenses reasonably incurred by it in respect of its removal and storage, the council

shall permit him to remove the vehicle from its custody during such period as may be prescribed; and if before the expiration of the period of one year beginning with the date on which a vehicle is sold by a district council under this Article any person satisfies the council that at the time of its sale he was the owner of the vehicle, the council shall pay over to him any sum by which the proceeds of sale exceed any expenses reasonably incurred by the council in respect of the removal, storage and disposal of the vehicle.

(6) If in the case of any vehicle it appears to the district council that more than one person is or was its owner at the relevant time, such one of them as the council thinks fit shall be treated as its owner for the purposes of paragraph (5).

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| <p>F1 Art. 31(1)(a)(b) substituted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), ss. 9(2)(a), 78; S.R. 2012/13, art. 2(2), Sch. 2</p> <p>F2 Words in art. 31(1) repealed (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), ss. 9(2)(b), 78, Sch. 4 Pt. 1; S.R. 2012/13, art. 2(2), Sch. 2</p> <p>F3 Art. 31(2) repealed (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), ss. 9(3), 78, Sch. 4 Pt. 1; S.R. 2012/13, art. 2(2), Sch. 2</p> |
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Changes to legislation:

There are currently no known outstanding effects for the Pollution Control and Local Government (Northern Ireland) Order 1978, Section 31.