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SCHEDULES

SCHEDULE 4

ABANDONED SHOPPING AND LUGGAGE TROLLEYS

Retention, return and disposal of trolleys

- 3 (1) Subject to the following sub-paragraphs, the local authority, as respects any shopping or luggage trolley it has seized and removed,—
- (a) shall keep the trolley for a period of six weeks; and
 - (b) may sell or otherwise dispose of the trolley at any time after the end of that period.
- (2) The local authority shall, as respects any trolley it has [^{F1}seized and removed] , as soon as reasonably practicable (but not later than fourteen days) after its removal, serve on the person (if any) who appears to the authority to be the owner of the trolley a notice stating—
- (a) that the authority has removed the trolley and is keeping it;
 - (b) the place where it is being kept; and
 - (c) that, if it is not claimed, the authority may dispose of it.
- (3) Subject to sub-paragraph (4) below, if, within the period mentioned in sub-paragraph (1)(a) above, any person claims to be the owner of a shopping or luggage trolley being kept by the authority under that sub-paragraph, the local authority shall, if it appears that the claimant is the owner, deliver the trolley to him.
- (4) A person claiming to be the owner of a shopping or luggage trolley shall not be entitled to have the trolley delivered to him unless he pays the local authority, on demand, such charge as the authority requires.
- (5) No shopping or luggage trolley shall be disposed of by the local authority unless (where it has not been claimed) the authority has made reasonable enquiries to ascertain who owns it.
- [^{F2}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.]

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Annotations:

Amendments (Textual)

- F2** [Sch. 4 para. 3A](#)
inserted (E.W.) (6.4.2006 for E. and 27.10.2006 for W.) by
[Clean Neighbourhoods and Environment Act 2005 \(c. 16\)](#)
,
ss. 99(3)
,
108
(with
s. 100
);
[S.I. 2006/795](#)
,
art. 2(3)
,
Sch. 2
;
[S.I. 2006/2797](#)
,
art. 2(r)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 2A amendment to earlier affecting provision S.I. 2005/3467, reg. 2, Schs. 1, 2 by S.I. 2018/429 reg. 2(4)
- Pt. 2A amendment to earlier affecting provision S.I. 2006/1379, regs. 3-17, Sch. by S.I. 2018/429 reg. 3
- Pt. 2A amendment to earlier affecting provision S.I. 2006/2988, regs. 3-17, Sch. by S.I. 2018/725 reg. 3
-
- Pt. 2A amendment to earlier affecting provision SI 2006/1379 regs. 3-17 Sch. by S.I. 2016/562 Sch. 2 para. 9
- Pt. 2A amendment to earlier affecting provision SI 2006/2988 regs. 3-17 Sch. by S.I. 2016/562 Sch. 2 para. 10
- Pt. 2A amendment to earlier affecting provision SI 2007/3240 regs. 3, 15 by S.I. 2016/562 Sch. 2 para. 11
- s. 33ZA inserted by S.I. 2016/334 reg. 2(2)
- s. 33ZB inserted by S.I. 2017/1024 reg. 2(2)
- s. 34D and cross-heading inserted by 2016 anaw 3 s. 66(1)
- s. 45AA 45AB inserted by 2016 anaw 3 s. 65
- s. 46A-46D inserted by 2015 c. 20 s. 58(3)
- s. 59ZB 59ZC inserted by S.I. 2018/369 Sch. 1 para. 2
- s. 65(8) excluded by S.I. 2016/779 art. 9(2)
- s. 71(5)(6) inserted by 2016 c. 25 Sch. 2 para. 4

- s. 87(4D) inserted by
[S.I. 2018/171](#)
[reg. 21](#)
- s. 88(5A)(a)(b) substituted for words by
[2014 asp 3](#)
[sch. 3](#)
[para. 11\(4\)\(b\)](#)
- s. 88(8A)-(8D) inserted by
[2014 asp 3](#)
[sch. 3](#)
[para. 11\(4\)\(e\)](#)
- s. 88(10A)(10B) inserted by
[2014 asp 3](#)
[sch. 3](#)
[para. 11\(4\)\(g\)](#)
- s. 88A inserted by
[2014 c. 12](#)
[s. 154\(2\)](#)
- s. 89(1)(ba) inserted by
[2015 c. 7](#)
[Sch. 1](#)
[para. 111\(2\)\(b\)](#)
- s. 89(2)(c) inserted by
[2015 c. 7](#)
[Sch. 1](#)
[para. 111\(3\)\(b\)](#)
- s. 98(5B) inserted by
[2015 c. 7](#)
[Sch. 1](#)
[para. 112\(3\)](#)
- s. 108(11) inserted by
[2015 asp 1](#)
[sch.](#)
[para. 4\(2\)](#)
- s. 111(12) inserted by
[2015 asp 1](#)
[sch.](#)
[para. 4\(3\)](#)
- s. 126(9) inserted by
[2015 asp 1](#)
[sch.](#)
[para. 4\(4\)](#)
- s. 153(1)(a)-(nn) substituted for s. 153(1)(a)-(aaa) by
[S.I. 2015/479](#)
[art. 2](#)
- s. 153(1)(z1) added by
[S.S.I. 2015/210](#)
[art. 2](#)
- s. 153(1)(z2) added by
[S.S.I. 2016/406](#)
[art. 2](#)
- s. 161(2AA)(2AB) inserted by
[2016 anaw 3](#)
[s. 69\(4\)](#)
- s. 161(2ZB)(2ZC) inserted by
[2014 c. 12](#)

s. 154(3)