



Environmental Protection Act 1990

1990 CHAPTER 43

PART III

STATUTORY NUISANCES AND CLEAN AIR

^{F1} Statutory nuisances . . .

^{F1}81B Payment of expenses by instalments.

- (1) Where any expenses are a charge on premises under section 81A above, the local authority may by order declare the expenses to be payable with interest by instalments within the specified period, until the whole amount is paid.
- (2) In subsection (1) above—
 - “interest” means interest at the rate determined by the authority under section 81A (1) above, and
 - “the specified period” means such period of thirty years or less from the date of service of the notice under section 81A above as is specified in the order.
- (3) Subject to subsection (5) below, the instalments and interest, or any part of them, may be recovered from the owner or occupier for the time being of the premises.
- (4) Any sums recovered from an occupier may be deducted by him from the rent of the premises.
- (5) An occupier shall not be required to pay at any one time any sum greater than the aggregate of—
 - (a) the amount that was due from him on account of rent at the date on which he was served with a demand from the local authority together with a notice requiring him not to pay rent to his landlord without deducting the sum demanded, and
 - (b) the amount that has become due from him on account of rent since that date.

[^{F2}(6) This section does not apply to Scotland.]

Changes to legislation: Environmental Protection Act 1990, Section 81B is up to date with all changes known to be in force on or before 18 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

Textual Amendments

- F1** Ss. 81A, 81B inserted (E.W.) (5.1.1994) by 1993 c. 40, **ss. 10(2), 12(1)**
- F2** S. 81B(6) inserted (1.4.1996) by 1995 c. 25, s. 107, **Sch. 17 para.5** (with ss. 7(6), 115, 117); S.I. 1996/186, **art.3**

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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):

- s. 30(4A) inserted by [2021 c. 30 s. 57\(2\)](#)
- s. 33ZB(10A) inserted by [2021 c. 30 s. 69\(3\)\(b\)](#)
- s. 34D and cross-heading inserted by [2016 anaw 3 s. 66\(1\)](#)
- s. 34ZB(8A) inserted by [2021 c. 30 s. 69\(5\)\(b\)](#)
- s. 45A-45AZG substituted for s. 45A by [2021 c. 30 s. 57\(4\)](#)
- s. 46(2)(a)(b) substituted for words by [2021 c. 30 s. 57\(5\)](#)
- s. 46(5A) inserted by [S.I. 2023/1290 reg. 8](#)
- s. 47(5A) inserted by [S.I. 2023/1290 reg. 9](#)
- s. 106A inserted by [2023 c. 6 s. 41\(2\)](#)
- s. 161(2AA)(2AB) inserted by [2016 anaw 3 s. 69\(4\)](#)