



# Clean Neighbourhoods and Environment Act 2005

## 2005 CHAPTER 16

### PART 5

#### WASTE

### CHAPTER 3

#### SITE WASTE

#### 54 Site waste management plans

- (1) The [<sup>F1</sup>Secretary of State] may by regulations make provision requiring persons of a specified description—
  - (a) to prepare plans for the management and disposal of waste created in the course of specified descriptions of works [<sup>F2</sup>in England] involving construction or demolition;
  - (b) to comply with such plans.
- (2) Descriptions of works that may be specified under subsection (1)(a) include in particular description by reference to the cost or likely cost of such works.
- (3) Regulations under this section may make supplementary and incidental provision, including in particular provision as to—
  - (a) the circumstances in which plans must be prepared;
  - (b) the contents of plans;
  - (c) enforcement authorities in relation to plans and the powers of such authorities;
  - (d) the keeping of plans and their production to enforcement authorities;
  - (e) offences in relation to a failure to comply with a requirement under the regulations;
  - (f) penalties for those offences;

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*Changes to legislation:* Clean Neighbourhoods and Environment Act 2005, Section 54 is up to date with all changes known to be in force on or before 18 September 2023. 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](#)

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- (g) the discharging of liability for an offence under the regulations by the payment of a fixed penalty to an enforcement authority;
  - (h) the uses to which such payments may be put by enforcement authorities.
- (4) Regulations under this section may make different provision for different purposes.
- (5) Regulations under this section making provision under subsection (3)(h) may in particular make different provision relating to different enforcement authorities or different descriptions of enforcement authority (including provision framed by reference to performance categories under section 99(4) of the Local Government Act 2003 (c. 26)).
- (6) Regulations under this section are to be made by statutory instrument.
- (7) A statutory instrument containing regulations made by the Secretary of State under this section is subject to annulment in pursuance of a resolution of either House of Parliament.
- (8) The [<sup>F3</sup>Secretary of State] may give guidance to persons who are enforcement authorities under subsection (3)(c) in relation to the powers conferred on them under that provision.
- (9) In this section—

<sup>F4</sup> .....  
 “specified” means specified in regulations under this section.

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**Textual Amendments**

**F1** Words in s. 54(1) substituted (15.2.2011) by [Waste \(Wales\) Measure 2010 \(nawm 8\)](#), s. 21(2), [Sch. para. 1\(2\)\(a\)](#)

**F2** Words in s. 54(1)(a) inserted (15.2.2011) by [Waste \(Wales\) Measure 2010 \(nawm 8\)](#), s. 21(2), [Sch. para. 1\(2\)\(b\)](#)

**F3** Words in s. 54(8) substituted (15.2.2011) by [Waste \(Wales\) Measure 2010 \(nawm 8\)](#), s. 21(2), [Sch. para. 1\(3\)](#)

**F4** Words in s. 54(9) omitted (15.2.2011) by virtue of [Waste \(Wales\) Measure 2010 \(nawm 8\)](#), s. 21(2), [Sch. para. 1\(4\)](#)

**Changes to legislation:**

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**Commencement Orders yet to be applied to the Clean Neighbourhoods and Environment Act 2005**

Commencement Orders bringing provisions within this Act into force:

- [S.I. 2007/120 art. 3](#) Amendment to earlier commencing [S.I. 2006/2797](#)