



Clean Neighbourhoods and Environment Act 2005

2005 CHAPTER 16

PART 9

MISCELLANEOUS

Shopping and luggage trolleys

99 Abandoned shopping and luggage trolleys

- (1) Schedule 4 to the Environmental Protection Act 1990 (c. 43) is amended as follows.
- (2) In paragraph 3(2) (retention, return and disposal of trolleys: notice to owner) for “seized or removed” substitute “seized and removed”.
- (3) After paragraph 3 insert—
 - “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.”
- (4) In paragraph 4 (charges)—

Status: This is the original version (as it was originally enacted).

- (a) in sub-paragraph (1)—
 - (i) for the words from “in fixing” to “sufficient” substitute “in fixing the charges to be paid under this Schedule, shall secure that the charges so payable are such as are sufficient”, and
 - (ii) for “such trolleys” substitute “shopping or luggage trolleys”, and
- (b) in sub-paragraph (2), after “paragraph 3” insert “or 3A”.