Clean Neighbourhoods and Environment Act 2005

2005 CHAPTER 16

PART 2

VEHICLES

Nuisance parking offences

3 Exposing vehicles for sale on a road

(1) A person is guilty of an offence if at any time—

(a) he leaves two or more motor vehicles parked within 500 metres of each other on a road or roads where they are exposed or advertised for sale, or

(b) he causes two or more motor vehicles to be so left.

(2) A person is not to be convicted of an offence under subsection (1) if he proves to the satisfaction of the court that he was not acting for the purposes of a business of selling motor vehicles.

(3) A person guilty of an offence under subsection (1) is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(4) In this section—

"motor vehicle" has the same meaning as in the Refuse Disposal (Amenity) Act 1978 (c. 3);

"road" has the same meaning as in the Road Traffic Regulation Act 1984 (c. 27).

4 Repairing vehicles on a road

(1) A person who carries out restricted works on a motor vehicle on a road is guilty of an offence, subject as follows.

Changes to legislation: *Clean Neighbourhoods and Environment Act 2005, Cross Heading: Nuisance parking offences is up to date with all changes known to be in force on or before 21 July 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*

(2) For the purposes of this section "restricted works" means—

(a) works for the repair, maintenance, servicing, improvement or dismantling of a motor vehicle or of any part of or accessory to a motor vehicle;

(b) works for the installation, replacement or renewal of any such part or accessory.

(3) A person is not to be convicted of an offence under this section in relation to any works if he proves to the satisfaction of the court that the works were not carried out—

(a) in the course of, or for the purposes of, a business of carrying out restricted works; or

(b) for gain or reward.

(4) Subsection (3) does not apply where the carrying out of the works gave reasonable cause for annoyance to persons in the vicinity.

(5) A person is also not to be convicted of an offence under this section in relation to any works if he proves to the satisfaction of the court that the works carried out were works of repair which—

(a) arose from an accident or breakdown in circumstances where repairs on the spot or elsewhere on the road were necessary; and

(b) were carried out within 72 hours of the accident or breakdown or were within that period authorised to be carried out at a later time by the local authority for the area.

(6) A person guilty of an offence under this section is liable on summary conviction to a fine not exceeding level 4 on the standard scale.

(7) In this section—

"motor vehicle" has the same meaning as in the Refuse Disposal (Amenity) Act 1978;

"road" has the same meaning as in the Road Traffic Regulation Act 1984;

"local authority" has the meaning given in section 9.

5 Liability of directors etc

(1) Where an offence under section 3 or 4 committed by a body corporate is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

(a) any director, manager, secretary or other similar officer of the body corporate, or

(b) a person who was purporting to act in any such capacity,

he as well as the body corporate is guilty of the offence and liable to be proceeded against and punished accordingly.

(2) Where the affairs of a body corporate are managed by its members, subsection (1) applies in relation to the acts or defaults of a member in connection with his functions of management as if he were a director of the body.

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