

SCHEDULES

SCHEDULE 1

ABANDONED SHOPPING AND LUGGAGE TROLLEYS

Retention, return and disposal of trolleys

3.—(1) Subject to the following sub-paragraphs, the district council, as respects any shopping or luggage trolley it has seized and removed—

- (a) shall keep the trolley for a period of 6 weeks; and
- (b) may sell or otherwise dispose of the trolley at any time after the end of that period.

(2) The council shall, as respects any trolley it has [^{F1}seized and removed], as soon as reasonably practicable (but not later than 14 days) from its removal, serve on the person (if any) who appears to the council to be the owner of the trolley a notice stating—

- (a) that the council 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 council may dispose of it.

(3) Subject to sub-paragraph (4), if, within the period mentioned in sub-paragraph (1)(a), any person claims to be the owner of a shopping or luggage trolley being kept by the council under that sub-paragraph, the council 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 council, on demand, such charge as the council requires.

(5) No shopping or luggage trolley shall be disposed of by the council unless (where it has not been claimed) the council has made reasonable enquiries to ascertain who owns it.

F1 Words in Sch. 1 para. 3(2) substituted (1.4.2012) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011 \(c. 23\), ss. 24\(2\), 78 \(with s. 25\)](#); S.R. 2012/13, Sch. 2

[^{F2}3A.—(1) This paragraph applies where the district council 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 council that a particular person is the owner of the trolley, the council may charge him a sum in respect of the removal, storage and disposal of the trolley.

(3) The charge is payable to the council on demand.

(4) The sum payable as a charge under this paragraph is recoverable by the council 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.]

Changes to legislation: There are currently no known outstanding effects for the *The Litter (Northern Ireland) Order 1994, Retention, return and disposal of trolleys*. (See end of Document for details)

F2 Sch. 1 para. 3A inserted (1.4.2012) by Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c. 23), **ss. 24(3)**, 78 (with s. 25); S.R. 2012/13, Sch. 2

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There are currently no known outstanding effects for the The Litter (Northern Ireland) Order 1994, Retention, return and disposal of trolleys.