



# London Local Authorities Act 2007

## 2007 CHAPTER ii

### PART 2

#### PUBLIC HEALTH AND THE ENVIRONMENT

##### *Waste and litter*

#### **24 Littering from vehicles**

- (1) This section is a penalty charge provision for the purposes of section 61 (penalty charges) of this Act.
- (2) Subject to subsection (3) below, a penalty charge is payable to a borough council for the purposes of the said section 61 with respect to a motor vehicle or a pedicab by the owner of the vehicle or pedicab if a person inside or on board the vehicle or pedicab acts in contravention of section 87 of the 1990 Act (offence of leaving litter).
- (3) A penalty charge is not payable under subsection (2) above by the owner of a motor vehicle or pedicab if that vehicle or pedicab is—
  - (a) a public service vehicle, within the meaning of the Public Passenger Vehicles Act 1981 (c. 14);
  - (b) a hackney carriage licensed under the Town Police Clauses Act 1847 (c. 89) or the Metropolitan Public Carriage Act 1869 (c. 115);
  - (c) a private hire vehicle licensed under the Private Hire Vehicles (London) Act 1998 (c. 34);
  - (d) a vehicle licensed under section 48 of the Local Government (Miscellaneous Provisions) Act 1976 (c. 57) (licensing of private hire vehicles);and the person acting in contravention of the said section 87 is a passenger in that vehicle.
- (4) The said section 87 shall apply in respect of a borough as if after paragraph (b) of subsection (2) there were inserted “or

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (c) done in circumstances where a penalty charge would be payable to a London borough council by virtue of section 24(2) (littering from vehicles) of the [London Local Authorities Act 2007 \(c. ii\)](#).”.
- (5) The owner of the vehicle is the appropriate recipient for the purposes of the said section 61.
- (6) For the purposes of subsection (1) of section 62 (representations and appeals) of this Act the grounds on which representations may be made against a penalty charge notice arising from a penalty charge payable by virtue of this section are—
- (a) that the recipient—
    - (i) never was the owner of the vehicle in question;
    - (ii) had ceased to be its owner before the date on which the penalty charge was alleged to have become payable; or
    - (iii) became its owner after that date;
  - (b) that no person inside the vehicle acted in contravention of the said section 87;
  - (c) that at the time the alleged contravention took place the person who was in control of the vehicle was in control of the vehicle without the consent of the owner;
  - (d) (except in the case of a pedicab) that the recipient is a vehicle-hire firm and—
    - (i) the vehicle in question was at the material time hired from that firm under a vehicle hiring agreement; and
    - (ii) the person hiring it had signed a statement of liability acknowledging his liability in respect of any penalty notice issued in respect of the vehicle during the currency of the hiring agreement; or
  - (e) that the penalty charge exceeded the amount applicable in the circumstances of the case.
- (7) Where the ground mentioned in subsection (6)(a)(ii) above is relied on in any representations made under subsection (1) of the said section 62, those representations must include a statement of the name and address of the person to whom the vehicle was disposed of by the person making the representations (if that information is in his possession).
- (8) Where the ground mentioned in subsection (6)(a)(iii) above is relied on in any representations made under the said subsection (1), those representations must include a statement of the name and address of the person from whom the vehicle was acquired by the person making the representations (if that information is in his possession).
- (9) Where, after considering any representations under the said subsection (1) the ground that is accepted is that mentioned in subsection (6)(d) above, the person hiring the vehicle shall be deemed to be its owner for the purposes of this section.
- (10) The owner of a vehicle for the purposes of this section shall be taken to be the person by whom the vehicle is kept, or in the case of an abandoned vehicle, the person by whom the vehicle was last kept.
- (11) In determining, for the purposes of this section, who was the owner of a motor vehicle at any time, it shall be presumed that the owner was the person in whose name the vehicle was at that time registered under the [Vehicle Excise and Registration Act 1994 \(c. 22\)](#).
- (12) In this section, “motor vehicle” means a mechanically propelled vehicle intended or adapted for use on roads.