Control of Pollution Act 1974

CHAPTER 40

CONTROL OF POLLUTION ACT 1974

PART I

WASTE ON LAND

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2 Preparation and revision of waste disposal plans.

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9 Supervision of licensed activities.
10 Appeals to Secretary of State from decisions with respect to licences.
11 .................................

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12 Collection of waste.
13 Dustbins etc.
14 Disposal of waste in England and Wales.
15 Disposal of waste in Scotland.
16 Removal of waste deposited in breach of licensing provisions.
17 Special provisions with respect to certain dangerous or intractable waste.

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18 Application of preceding provisions to other waste.
19 Powers of disposal authorities as respects other waste.

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20 Reclamation of waste.
21 Production of heat and electricity from waste etc.

Street cleaning and litter

22 Street cleaning etc.
23 Prohibition of parking to facilitate street cleaning.
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25 Disposal of waste underground by Coal Board etc.
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27 Interference with refuse tips and dustbins etc.
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29 Modification of Parts I and II to avoid duplication of control.
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30B Classification of quality waters.
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30D General duties to achieve and maintain objectives etc.
30E Consultation and collaboration.

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30F Pollution offences.
30G Prohibition of certain discharges by notice or regulations.
30H Discharges into and from sewers etc.
30I Defence to principal offences in respect of authorised discharges.
30J Other defences to principal offences.
Control of entry of polluting matter and effluents into water

31 Control of pollution of rivers and coastal waters etc.
31A Requirements to take precautions against pollution.
31B Nitrate sensitive areas.
31C Registering of agreement.
31D Pollution of water
32 Pollution of water
33 Control of sanitary appliances on vessels.

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34 Consents for discharges of trade and sewage effluent etc.
35 Reference to Secretary of State of certain applications for consent.
36 Provisions supplementary to ss. 34 and 35.
37 Revocation of consents and alteration and imposition of conditions.
38 Restriction on variation and revocation of consent and of previous variation.
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42A Exclusion from registers of information affecting national security.
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43 Pollution of water
44 Pollution of water
45 Pollution of water

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46 Operations by river purification authorities to remedy or forestall pollution of water.
46A Notices requiring persons to carry out anti-pollution operations.
46B Grant of, and compensation for, rights of entry etc.
46C Appeals against works notices.
46D Consequences of not complying with a works notice.
47 Duty of water authorities to deal with waste from vessels etc.
48 Power of water authorities to exclude unregistered vessels from rivers etc.
49 Deposits and vegetation in rivers etc.
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50 Investigation of water pollution problems arising from closure of mines.
51 Codes of good agricultural practice.
52 Charges in respect of certain discharges in England and Wales.
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54 Miscellaneous
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57 Periodical inspections by local authorities.

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58 Summary proceedings by local authorities.
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58B Actings where notice in respect of road noise not complied with.
59 Summary proceedings by occupier of premises.
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60 Control of noise on construction sites.
61 Prior consent for work on construction sites.

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62 Noise in streets.

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63 Designation of zones.
64 Register of noise levels.
65 Noise exceeding registered level.
66 Reduction of noise levels.
67 New buildings etc.

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68 Noise from plant or machinery.

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86 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .
87 Miscellaneous provisions relating to legal proceedings.
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95 Service of documents on and by certain undertakers.
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100 . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . . .
101 Disposal of waste etc by Atomic Energy Authority.
102 Power to give effect to international agreements.
103 Adaptation of enactments to metric units.
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104 Orders and regulations.
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106 General application to Scotland.
107 Application to Isles of Scilly.
108 Minor and consequential amendments of enactments, and repeals.
109 Short title, commencement and extent.

SCHEDULES

SCHEDULE 1 — Noise Abatement Zones
1 . . . . . . . . .
2 . . . . . . . . .
3 . . . . . . . . .
4 . . . . . . . . .
5 . . . . . . . . .

SCHEDULE 1A — Orders Designating Nitrate Sensitive Areas: Scotland

Part I — APPLICATIONS BY SEPA FOR DESIGNATION ORDERS

Orders made only on application
1 (1) Subject to sub-paragraph (2) below, the Secretary of State...

Procedure for applications
2 (1) SEPA shall not, for the purposes of paragraph 1...
Part II — ORDERS CONTAINING MANDATORY PROVISIONS ETC.

Publication of proposal for order containing mandatory provisions
3 (1) This paragraph applies where the Secretary of State proposes...

Supply of copies of proposed orders
4 The Secretary of State shall, at the request of any...

Modifications of proposals
5 (1) Where notices with respect to any proposed order have...

Consideration of objections et ceteralaetc.
6 Without prejudice to section 96 of this Act, where notices...

Consent of Treasury for payment provisions
7 The consent of the Treasury shall be required for the...
8 In this Part, “local authority” means a council constituted under...

SCHEDULE 2 — Alteration of penalties

The Public Health (Scotland) Act 1897
1 . . . . . . . . .
The Alkali, &c. Works Regulation Act 1906

The Public Health Act 1936

The Public Health (Drainage of Trade Premises Act 1937

The Water Act 1945

The Clean Air Act 1956

The Radioactive Substances Act 1960

The Sewerage (Scotland) Act 1968

The Clean Air Act 1968

SCHEDULE 3 — Minor and consequential amendments of enactments

The Alkali, &c. Works Regulation Act 1906
Changes to legislation: Control of Pollution Act 1974 is up to date with all changes known to be in force on or before 09 January 2020. 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

The Public Health Act 1936
6 In section 3(1)(b) of the Public Health Act 1936 (under... 7 Sections 79 and 80 of that Act (which relate to...

The Public Health (Drainage of Trade Premises) Act 1937
8 Sections 2(4) and 3(2) of the Public Health (Drainage of...
9 In section 4(5) of that Act (under which disputes arising...
10 In section 10(1) of that Act (which authorises the taking...

The Salmon and Freshwater Fisheries (Protection) (Scotland) Act 1951
11 . . . . . . . . . ....

The Rivers (Prevention of Pollution) (Scotland) Act 1951
12 Minor and consequential amendments of enactments
13 Minor and consequential amendments of enactments
14 In section 18 of that Act (which relates to the...
15 In section 19 of that Act (which empowers river purification...

The Clean Air Act 1956
16 Minor and consequential amendments of enactments

The Rivers (Prevention of Pollution) Act 1961
17 In section 10(1) of the Rivers (Prevention of Pollution) Act...

The Public Health Act 1961
18 At the end of section 34(5) of the Public Health...

The London Government Act 1963
19 In section 41(1)(b) of the London Government Act 1963 (which...

The Water Resources Act 1963
20 In section 77(2) of the Water Resources Act 1963 (which...
21 In section 113(1) of that Act (which authorises water authorities...
22 Minor and consequential amendments of enactments

The Spray Irrigation (Scotland) Act 1964
23 In section 9(2) of the Spray Irrigation (Scotland) Act 1964...

The Rivers (Prevention of Pollution) (Scotland) Act 1965
24 In section 10(1) of the Rivers (Prevention of Pollution) (Scotland)...
25 Minor and consequential amendments of enactments

The Hovercraft Act 1968
26 In section 1(1)(g) of the Hovercraft Act 1968 for the...
The Water Act 1973

27 For the purposes of section 14 of the Water Act...
28 In subsection (12) of section 24 of that Act (which...
29 In section 36(3) of that Act (which among other things...
30 In paragraph 17(2) of Schedule 7 to that Act (which...

The Local Government (Scotland) Act 1973

31 Minor and consequential amendments of enactments

SCHEDULE 4 — Repeals
Changes to legislation:
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View outstanding changes

Changes and effects yet to be applied to:
- s. 24(1)-(3) repealed by 1983 c. 35 Sch. 2
- s. 65(8) excluded by 2017 c. 7 Sch. 27 para. 4(b) (Effect superseded by repeal of s. 65.)
- s. 65(8) excluded by S.I. 2015/1832 art. 18(3) (This amendment not applied to legislation.gov.uk. S. 65 was fully repealed on (1.10.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), Sch. 13 para. 11; S.I. 2015/1732, art. 2(f))
- s. 65(8) excluded by S.I. 2015/1876 art. 36(2)(b) (This amendment not applied to legislation.gov.uk. S. 65 was fully repealed on (1.10.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), Sch. 13 para. 11; S.I. 2015/1732, art. 2(f))
- s. 65(8) excluded by S.I. 2016/779 art. 9(2) (Effect superseded by repeal of s. 65.)
- s. 65(8) excluded by S.I. 2017/766 art. 8(2) (Effect superseded by repeal of s. 65.)
- s. 65(8) excluded by S.I. 2018/446 art. 30(2)(b) (Effect superseded by repeal of s. 65.)
- s. 65(8) excluded by S.I. 2018/923 art. 29(2) (Effect superseded by repeal of s. 65.)
- s. 76(4) words repealed by 1990 c. 43 Sch. 16 Pt. 1 (This amendment not applied to legislation.gov.uk. S. 76 already repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), Sch. 6)
- s. 78(1) words repealed by 1990 c. 43 Sch. 16 Pt. 1 (This amendment not applied to legislation.gov.uk. S. 78 already repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), Sch. 6)
- s. 79(4) words repealed by 1990 c. 43 Sch. 16 Pt. 1 (This amendment not applied to legislation.gov.uk. S. 79 already repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), Sch. 6)
- s. 80(3) words repealed by 1990 c. 43 Sch. 16 Pt. 1 (This amendment not applied to legislation.gov.uk. S. 80 already repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), Sch. 6)
- s. 84(1) words repealed by 1990 c. 43 Sch. 16 Pt. 1 (This amendment not applied to legislation.gov.uk. S. 84 already repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), Sch. 6)
- s. 103(1)(a) words repealed by 1990 c. 43 Sch. 16 Pt. 1 (This amendment not applied to legislation.gov.uk. S. 103 already repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), Sch. 6)
- Sch. 2 para. 15 repealed by 1989 c. 15 Sch. 27 Pt. 2