***Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government, Planning and Land Act 1980. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

SCHEDULES

SCHEDULE 2

Section 1(2).

RELAXATION OF CONTROLS OVER FUNCTIONS RELATING TO CLEAN AIR AND POLLUTION

Modifications etc. (not altering text)

C1 The text of Schs. 2, 3, Sch. 4 paras. 1(1)(2)–(4), 10, Sch. 5, Sch. 6 paras. 1, 4–6, 10–16, 21, Sch. 7 Pt. I paras. 2(2)(5)(6), 3(2)(4), 6, 7, 8, Sch. 7 Pt. II paras. 14(1), 15, Sch. 23 Pt. II para. 2, Pt. III paras. 3–7, Pt. V paras. 12–20, Pt. VI para. 21, Sch. 25 Pt. II para. 7, Pt. III para. 8, Pt. IV para. 9, Sch. 26 para. 18, Sch. 33 paras. 1–5, 7, 13, 14 Sch. 34, Sch. 32 Pt. III para. 19 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Clean Air Act 1956 (c. 52)

F1 1 . . . . . .

Textual Amendments

F1 Sch. 2 paras. 1-6 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), **Sch.6**

F2 2 . . . . . .

Textual Amendments

F2 Sch. 2 paras. 1-6 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), **Sch.6**

F3 3 . . . . . .

Textual Amendments

F3 Sch. 2 paras. 1-6 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), **Sch.6**

F4 4 . . . . . .

Textual Amendments

F4 Sch. 2 paras. 1-6 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), **Sch.6**

F5 5 . . . . . .

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government, Planning and Land Act 1980. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

F5 Sch. 2 paras. 1-6 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), **Sch.6**

Clean Air Act 1968 (c. 62)

F6 6 . . . . . .

Textual Amendments

F6 Sch. 2 paras. 1-6 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), **Sch. 6**

Control of Pollution Act 1974 (c. 40)

7 In section 2—

(a) in subsection (2) (waste disposal plans; power to modify required contents by regulations) omit the words from "but provision may be made by regulations" to the end;

(b) in subsection (3)(a) (duty to consult) in paragraph (vi) omit "and such other persons as are prescribed";

(c) omit subsection (7) (power of Secretary of State to give authority direction as to the time by which it is to perform duty).

8 In section 5—

(a) in subsection (1) (application for disposal licence to be made in writing and include prescribed information) omit "and include such information as is prescribed";

(b) in subsection (2) (disposal licences and planning) omit the words from "but provision may be made by regulations" to the end;

(c) in subsection (4)(a) (disposal authority to refer proposal to certain persons) omit "and to any other prescribed person"; and

(d) in subsection (5)(a) (which make similar provision in relation to Scotland) omit "and

(iii) any other prescribed person;".

9 (1) The following provisions (which relate to procedural matters connected with waste disposal) shall cease to have effect, namely—

(a) in section 6(1), the words "as to the conditions which are or are not to be specified in a disposal licence, and"; and

(b) in section 11(3)(c) and (4)(a) the words "and to any other prescribed person".

(2) in section 6(4)(a), for "prescribed particulars" substitute " copies ".

(3) In section 11(10) for "particulars" substitute " copies ".

10 [F7(1) The following subsections shall be substituted for subsection (1) of section 13 (dustbins etc.):—

"(1) Where a collection authority has a duty by virtue of subsection (1)(a) of the preceding section to arrange for the collection of household waste from any premises, the authority may, by a notice served on the occupier of the

***Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government, Planning and Land Act 1980. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

premises, require him to place the waste for collection in receptacles which are of a kind and number reasonably specified in the notice.

(1A) A person who fails to comply with any of the requirements of such a notice shall be guilty of an offence and liable on summary conviction to a fine not exceeding £100.”

(2) In subsection (3) of that section—

(a) for the words “the kind or number of the receptacles required by" there shall be substituted the words “ any requirement specified in ”; and

(b) in paragraph (c), for the words “the kind or number of receptacles" there shall be substituted the words “ any requirement ”.

(3) The following subsections shall be substituted for subsection (5):—

“(5) If it appears to a collection authority that there is likely to be situated, on any premises in its area, commercial waste or industrial waste of a kind which, if the waste is not stored in receptacles of a particular kind, is likely to cause a nuisance or to be detrimental to the amenities of the locality in which the premises are situated, the authority may, by notice served on the occupier of the premises, require him to provide at the premises receptacles for the storage of such waste which are of a kind and number reasonably specified in the notice.

(5A) A person who fails to comply with any requirement specified in the notice shall be guilty of an offence and liable on summary conviction to a fine of an amount not exceeding £100.”.

(4) In subsection (6), for the words “the kind or number of receptacles" there shall be substituted the words “ any requirement ”.

(5) The following subsections shall be substituted for subsection (7):—

“(7) A notice under subsection (1) or (5) of this section may make provision with respect to—

(a) the size, construction and maintenance of receptacles for controlled waste;

(b) the placing of receptacles on premises for the purpose of facilitating the emptying of them, and access to the receptacles for that purpose;

(c) the placing of receptacles for that purpose of highways;

(d) the substances which may and may not be put into the receptacles and the precautions to be taken where particular substances are put into them; and

(e) the steps to be taken by occupiers of premises for the purposes of facilitating the collection of waste from receptacles for controlled waste which are provided in connection with the premises.

(7A) A notice under subsection (1) or (5) of this section shall not require receptacles to be placed on highways unless—

(a) the relevant highway authority have given their consent to their being so placed; and

(b) arrangements have been made as to the liability for any damage arising out of their being so placed.”**]**

Changes to legislation: *There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government, Planning and Land Act 1980. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

F7 Sch. 2 para. 10 repealed (S.) (30.6.2014) by Regulatory Reform (Scotland) Act 2014 (asp 3), s. 61(2), **sch. 3 para. 19**; S.S.I. 2014/160, art. 2(1)(2), sch.

11 (1) In section 23 (prohibition of parking to facilitate street cleaing) for subsection (2), substitute—

"(2) Such a notice must specify the relevant area, the relevant day and the hours in question; and a copy of the notice must—

(a) be served on the occupier of any premises adjoining the relevant area; and

(b) be conspicuously displayed at places in the relevant area.

(2A) The effect of the giving of such a notice and of the service and display of copies of it as required by subsection (2) of this section shall be to suspend during the hours of the relevant day specified in the notice the operation of any provision which is contained in an order under the Road Traffic Regulation Act 1967 or a local enactment and which authorises, designates or regulates the use of a street parking place in the relevant area.

(2B) The authority giving the notice shall cover up traffic signs and parking meters in the relevant area during the hours if the relevant day specified in the notice, but without prejudice to the effect of the notice.".

(2) Omit section 22(3).

(3) For subsection (5) substitute:—

"(5) If, either before or during the hours on the relevant day which are specified in a notice given by an authority as mentioned in subsection (1) of this section, the authority displays notices in the relevant area stating that the prohibition on parking is not to come into force or is to cease to be in force, the effect of the notices under this subsection shall be to prevent the prohibition coming into force or, as the case may be, to terminate it.".

(4) After subsection (6) insert:—

"(6A) No authority shall issue a notice under this section whose effect would be to suspend the operation of provisions of an order not made by the highway authority without first consulting the authority who made the order.".

(5) After subsection (8) insert:—

"(9) In this section "parking meter", "street parking place" and "traffic sign" have the same meanings respectively assigned to them by sections 36(2)(a), 104(1) and 54 of the Road Traffic Regulation Act 1967.".

12 In section 27(1)(b) (interference with receptacles for waste) for "regulations made by virtue of section 13(7)" substitute " a notice under section 13(1) or (5) ".

13 In section 28(1), (supplementary provisions relating to pipes), omit "in the prescribed form".

F8F9 14 . . . . . .

***Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government, Planning and Land Act 1980. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

Textual Amendments

F8 Sch. 2 para. 14 repealed (S.) (30.6.2014) by Regulatory Reform (Scotland) Act 2014 (asp 3), s. 61(2), sch. 3 para. 19; S.S.I. 2014/160, art. 2(1)(2), sch.

F9 Sch. 2 para. 14 omitted (E.W.) (1.10.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), **Sch. 13 para. 15(3)**; S.I. 2015/1732, art. 2(f)

15 Omit section 73(2)(a) (determination by Secretary of State of questions as to local authority area).

F10 16 . . . . . .

Textual Amendments

F10 Sch. 2 para. 16 repealed (27.8.1993) by 1993 c. 11, ss. 67(3), 68(2), **Sch.6**

17 In section 90(2)(b) (interest on sums payable to water or other authorities) for the words from "the rate", in the first place where they occur to the end substitute " such reasonable rate or rates as the authority may determine ".

F11F12 18 . . . . . .

Textual Amendments

F11 Sch. 2 para. 18 repealed (S.) (30.6.2014) by Regulatory Reform (Scotland) Act 2014 (asp 3), s. 61(2), sch. 3 para. 19; S.S.I. 2014/160, art. 2(1)(2), sch.

F12 Sch. 2 para. 18 omitted (E.W.) (1.10.2015) by virtue of Deregulation Act 2015 (c. 20), s. 115(7), **Sch. 13 para. 15(3)**; S.I. 2015/1732, art. 2(f)

Changes to legislation:
There are outstanding changes not yet made by the legislation.gov.uk editorial team to Local Government, Planning and Land Act 1980. Any changes that have already been made by the team appear in the content and are referenced with annotations.
View outstanding changes

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied (with modifications) by S.I. 2024/414 art. 5Sch. 1 para. 5

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 98(A1)(B1) inserted by 2016 c. 22 s. 209(2)
- s. 98(8)(d) and word added by 1989 c. 42 Sch. 11 para. 56
- s. 98(8)(d) word substituted by 2007 c. 28 Sch. 14 para. 3(2)(a)(i)
- s. 98(8)(d) words substituted by 2007 c. 28 Sch. 14 para. 3(2)(a)(ii)
- s. 98(8A) added by 1989 c. 42 Sch. 11 para. 56
- s. 98(8A) word substituted by 2007 c. 28 Sch. 14 para. 3(2)(b)
- s. 98(8A)(d) word repealed by 1999 c. 29 Sch. 34 Pt. 8 (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(f) and word inserted by 1999 c. 29 Sch. 29 para. 30 (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(f) substituted by 2017 c. 3 Sch. 2 para. 58 (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(eza)(ezb) inserted by 2009 c. 20 Sch. 6 para. 50 (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(ezc) inserted by 2023 c. 55 Sch. 4 para. 64 (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(aa) inserted by 1994 c. 19 s. 66(6)Sch. 16 para. 57(4)
- s. 98(8A)(ea) inserted by 2007 c. 28 Sch. 13 para. 36(3) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(ea) omitted by 2015 c. 20 Sch. 13 para. 6(14)(b) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(10) inserted by 2016 c. 22 s. 209(3)
- s. 100(1)(1A) substituted for s. 100(1) by 1989 c. 42 Sch. 11 para. 57
- s. 100(1)(a) amended by 1999 c. 29 Sch. 29 para. 32 (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words inserted by 1994 c. 19 s. 66(6)Sch. 16 para. 57(6) (This amendment not applied to legislation.gov.uk. Sch. 16 para. 57(6) repealed (19.11.1998) without ever being in force by 1998 c. 43, s. 1(1), Sch. 1 Pt. X Group 5)
- s. 100(1)(a) words inserted by 2009 c. 20 Sch. 6 para. 52 (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by 2007 c. 28 Sch. 13 para. 36(5) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by 2007 c. 28 Sch. 14 para. 3(3)(a)

- s. 100(1)(a) words substituted by 2015 c. 20 Sch. 13 para. 6(14)(d) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by 2017 c. 3 Sch. 2 para. 60 (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by 2023 c. 55 Sch. 4 para. 66 (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1A) words substituted by S.I. 2009/1941 Sch. 1 para. 46(3)(b) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1ZA)(1ZB) inserted by 2007 c. 28 Sch. 14 para. 3(3)(b)
- s. 134(1B) inserted by 2023 c. 55 s. 171(2)
- s. 134(3C) inserted by 2023 c. 55 Sch. 16 para. 2(5)
- s. 134(6)(7) inserted by 2023 c. 55 Sch. 16 para. 2(11)
- s. 134A inserted by 2023 c. 55 s. 171(3)
- s. 135(4A)-(4C) inserted by 2023 c. 55 s. 171(6)
- s. 135(7) inserted by 2023 c. 55 Sch. 16 para. 3(3)
- s. 135A inserted by 2023 c. 55 s. 171(7)
- s. 149(1A) inserted by 2023 c. 55 s. 174(2)(a)
- s. 149(2A) inserted by 2023 c. 55 s. 174(2)(c)
- s. 149(3A) inserted by 2023 c. 55 s. 174(2)(e)
- s. 149(4A) inserted by 2023 c. 55 s. 174(2)(f)
- s. 149A inserted by 2023 c. 55 s. 174(3)
- Sch. 26 para. 1A inserted by 2023 c. 55 s. 178(1)(b)
- Sch. 28 Pt. 3 para. 6 words substituted by 2003 c. 21 Sch. 17 para. 52(2)(c) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 6 words substituted by 2003 c. 21 Sch. 17 para. 52(2)(d) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 13 words substituted by 2003 c. 21 Sch. 17 para. 52(2)(a) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 16 words substituted by 2003 c. 21 Sch. 17 para. 52(2)(a) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 29 Pt. 1 para. 1 inserted by 2023 c. 55 s. 174(4)(a)
- Sch. 29 Pt. 1 para. 3 inserted by 2023 c. 55 s. 174(4)(c)
- Sch. 29 Pt. 1 para. 5 inserted by 2023 c. 55 s. 174(4)(e)
- Sch. 29 Pt. 1 para. 2 words in Sch. 29 Pt. 1 renumbered as Sch. 29 Pt. 1 para. 2 by 2023 c. 55 s. 174(4)(b)
- Sch. 29 Pt. 1 para. 4 words in Sch. 29 Pt. 1 renumbered as Sch. 29 Pt. 1 para. 4 by 2023 c. 55 s. 174(4)(d)
- Sch. 31 para. 8(2A) inserted by 2023 c. 55 s. 179(1)(b)