

CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 2: Vehicles

Vehicles illegally parked etc

Section 15 Notices of Removal; section 16 Disposal; section 17 Guidance

64. These sections make similar changes to the Road Traffic Regulation Act 1984 (“the 1984 Act”) to those to the Refuse Disposal (Amenity) Act 1978 described above.
65. [Section 15](#) amends section 99 of the 1984 Act. It inserts the words “other than a road” after the word “land” in subsection (3). This has the effect of removing the requirement to serve the occupier of land with a notice where that land is a road. It also removes the requirement to attach a notice on a vehicle that is considered in such a condition that it ought to be destroyed by omitting subsection (4). This mirrors the amendments made by section 11 to the Refuse Disposal (Amenity) Act 1978 for the same reasons. The 1984 Act has similar provisions for dealing with abandoned vehicles as are contained in the Refuse Disposal (Amenity) Act 1978 but there is only a power for local authorities to act, not a duty as under section 3 of the 1978 Act.
66. [Section 16](#) amends section 101 of the 1984 Act. It makes various amendments to subsection (3) that mirror the amendments made by section 12. It allows for the removal of vehicles that do not display either a valid licence or a registration mark (plate) and also removes the requirement to wait for the expiration of a valid licence before the vehicle can be disposed of.
67. [Section 17](#) inserts into section 103 of the 1984 Act the requirement for local authorities exercising functions under sections 99 to 103 of the Act to have regard to any guidance issued by the Secretary of State or the National Assembly for Wales as the case may be.