

These notes refer to the Clean Neighbourhoods and Environment Act 2005 (c.16) which received Royal Assent on 7 April 2005

CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 9: Miscellaneous

Shopping and luggage trolleys

Section 100 Section 99: transitional provision

253. *Section 100* sets out the transitional provisions that apply where, before section 99 comes into force, a local authority has resolved under section 99 of the Environmental Protection Act 1990 to apply Schedule 4 to that Act in its area.
254. *Subsection (2)* provides that such a resolution is to have no effect if the date it set for Schedule 4 to apply in the local authority's area fell on or after the day on which section 99 came into force.
255. If the resolution has already taken effect at the date section 99 comes into force, *subsections (3) to (5)* allow Schedule 4 to continue to apply in the local authority's area without the amendments made by the Act for no more than three years. These subsections do not prevent the local authority from resolving to apply Schedule 4 as amended by this Act at any time in those three years.
256. *Subsection (7)* ensures that a local authority, in fixing the level of charges to be imposed on the owners of seized trolleys, keeps separate the costs and charges associated with the new and old versions of Schedule 4.