



Control of Pollution Act 1974

CHAPTER 40

CONTROL OF POLLUTION ACT 1974

PART I

WASTE ON LAND

Waste disposal arrangements

- 1 Arrangements for disposing of controlled waste

Waste disposal plans

- 2 Preparation and revision of waste disposal plans

Licensing of disposal of controlled waste

- 3 Prohibition of unlicensed disposal of waste
- 4 Provisions supplementary to s. 3
- 5 Licences to dispose of waste
- 6 Provisions supplementary to s. 5
- 7 Variation of conditions and revocation of licences
- 8 Transfer and relinquishment of licences
- 9 Supervision of licensed activities
- 10 Appeals to Secretary of State from decisions with respect to licences
- 11 Special provisions for land occupied by disposal authorities

Collection and disposal of controlled waste

- 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

Waste other than controlled waste

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

Reclamation etc. of waste

- 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
- 24 Litter

Supplemental

- 25 Disposal of waste underground by Coal Board etc.
- 26 Outfall pipes for sewage disposal works
- 27 Interference with refuse tips and dustbins etc.
- 28 Supplementary provisions relating to pipes
- 29 Modification of Parts I and II to avoid duplication of control
- 30 Interpretation etc of Part I

PART II

POLLUTION OF WATER

Control of entry of polluting matter and effluents into water

- 31 Control of pollution of rivers and coastal waters etc.
- 32 Control of discharges of trade and sewage effluent etc into rivers and coastal waters etc.
- 33 Control of sanitary appliances on vessels

Consents for discharges

- 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
- 39 Appeals to Secretary of State
- 40 Transitional provisions relating to consents

Ancillary provisions relating to control of discharges

- 41 Registers
- 42 Power of Secretary of State to exempt applications, consents and conditions etc from publicity

Control of discharges of trade effluent into public sewers

- 43 Control of discharges into sewers
- 44 Provisions supplementary to s. 43
- 45 Early variation of conditions of discharges

Miscellaneous

- 46 Operations by water authorities to remedy or forestall pollution of water
- 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.
- 50 Investigation of water pollution problems arising from closures of mines
- 51 Notice to abstain from certain agricultural practices
- 52 Charges in respect of certain discharges in England and Wales
- 53 Charges in respect of certain discharges in Scotland
- 54 Exclusion of certain liability in respect of discharges etc with consent

Supplemental

- 55 Discharges by water authorities
- 56 Interpretation etc of Part II

PART III

NOISE

Periodical inspections by local authorities

- 57 Periodical inspections by local authorities

Summary proceedings to deal with noise

- 58 Summary proceedings by local authorities
- 59 Summary proceedings by occupier of premises

Construction sites

- 60 Control of noise on construction sites
- 61 Prior consent for work on construction sites

Noise in streets

- 62 Noise in streets

Noise abatement zones

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

Noise from plant or machinery

- 68 Noise from plant or machinery

Supplemental

- 69 Execution of works by local authority
- 70 Appeals to Secretary of State and magistrates' court
- 71 Codes of practice for minimising noise
- 72 " Best practicable means "
- 73 Interpretation and other supplementary provisions
- 74 Penalties

PART IV

POLLUTION OF THE ATMOSPHERE

Prevention of atmospheric pollution

- 75 Regulations about motor fuel
- 76 Regulations about sulphur content of oil fuel for furnaces or engines
- 77 Provisions supplementary to ss. 75 and 76
- 78 Cable burning

Information about atmospheric pollution

- 79 Research and publicity
- 80 Notices requiring information about air pollution
- 81 Appeals against notices
- 82 Regulations about research and publicity
- 83 Provision by local authorities of information for Secretary of State

Interpretation

- 84 Interpretation of Part IV

PART V

SUPPLEMENTARY PROVISIONS

Legal proceedings

- 85 Appeals to Crown Court or Court of Session against decisions of magistrates' court or sheriff
- 86 Protection of members and officers of authorities from personal liability
- 87 Miscellaneous provisions relating to legal proceedings
- 88 Civil liability for contravention of s. 3(3)

Financial provisions

- 89 Expenses and receipts of Secretary of State etc.
- 90 Establishment charges and interest in respect of certain expenses of authorities

Miscellaneous

- 91 Rights of entry and inspection etc.
- 92 Provisions supplementary to s. 91
- 93 Power of authorities to obtain information
- 94 Prohibition of disclosure of information
- 95 Service of documents on and by water authorities
- 96 Local inquiries

- 97 Default powers
- 98 Interpretation of Part V

PART VI

MISCELLANEOUS AND GENERAL

Miscellaneous

- 99 Alteration of penalties
- 100 Power to prohibit or restrict the importation and use etc of injurious substances
- 101 Disposal of waste etc by Atomic Energy Authority
- 102 Power to give effect to international agreements
- 103 Adaption of enactments to metric units

General

- 104 Orders and regulations
- 105 Interpretation etc-general
- 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 A local authority shall after making any noise abatement order—...
- 2 The requirements referred to in the preceding paragraph are that...
- 3 (1) If no objection is duly made to the Secretary...
- 4 An order when confirmed shall come into operation on such...
- 5 A local authority shall not exercise its powers under the...

SCHEDULE 2 — Alteration of penalties

The Public Health (Scotland) Act 1897

- 1 In section 22 of the Public Health (Scotland) Act 1897...
- 2 In section 24 of that Act (which penalises failure to...
- 3 In section 36(1) of that Act (which provides for a...

The Alkali, &c. Works Regulation Act 1906

- 4 In section 12(4) of the Alkali Act (under which obstruction...
- 5 In section. 16A of that Act (which provides for certain...

The Public Health Act 1936

- 6 In section 19(3) of the Public Health Act 1936 (under...
- 7 In section 27 of that Act (which provides that certain...
- 8 In section 34(5) of that Act (under which a person...
- 9 In section 36(1) of that Act (under which a person...
- 10 In section 41(3) of that Act (under which a person...
- 11 In section 94(2) of that Act (under which a person...

- 12 In section 95(1) of that Act (under which a person...

The Public Health (Drainage of Trade Premises) Act 1937

- 13 In section 2 of the Public Health (Drainage of Trade...
14 In section 9 of that Act (under which a person...

The Water Act 1945

- 15 In section 19(3) of the Water Act 1945 (under which...
16 In section 21 of that Act (under which a person...

The Water (Scotland) Act 1946

- 17 In section 62(3) of the Water (Scotland) Act 1946 (under...
18 In section 64 of that Act (under which a person...

The Clean Air Act 1956

- 19 (1) In subsection (1) of section 27 of the Clean...

The Radioactive Substances Act 1960

- 20 (1) In subsection (2) of section 13 of the Radioactive...

The Sewerage (Scotland) Act 1968

- 21 In section 12(8) of the Sewerage (Scotland) Act 1968 (under...
22 In section 14(6) of that Act (under which a person...
23 In section 24(2) of that Act (under which an occupier...
24 In section 45(2) of that Act (under which a person...
25 In section 46 of that Act (which provides that certain...

The Clean Air Act 1968

- 26 In the following provisions of the Clean Air Act 1968...
27 In section 9(1) of that Act (under which a person...

SCHEDULE 3 — Minor and consequential amendments of enactments

The Alkali, &c. Works Regulation Act 1906

- 1 Sections 3, 4 and 5 of the Alkali Act (alkali...
2 Section 8 of that Act (which is superseded by paragraph...
3 (1) In section 27 of that Act as amended by...
4 (1) At the end of Schedule 1 to that Act,...

The Salmon and Freshwater Fisheries Act 1923

- 5 In section 9(5) of the Salmon and Freshwater Fisheries Act...

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 In section 9 of the Salmon and Freshwater Fisheries (Protection)...

The Rivers (Prevention of Pollution) (Scotland) Act 1951

- 12 In section 12(4) of the Rivers (Prevention of Pollution) (Scotland)...
- 13 In section 17(1) of that Act (which sets out the...
- 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 (1) In subsection (1) of section 30 of the Clean...

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...

The Housing Act 1964

- 22 In section 95 of the Housing Act 1964, after subsection...

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)...

The Civic Amenities Act 1967

- 25 (1) In section 18(1) of the Civic Amenities Act 1967...

The Hovercraft Act 1968

- 26 In section 1(1)(g) of the Hovercraft Act 1968 for the...

Status: This is the original version (as it was originally enacted).

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 In paragraph 1 of Schedule 28 to the Local Government...

SCHEDULE 4 — Repeals