

*Status: Point in time view as at 09/01/2014.*

*Changes to legislation: There are currently no known outstanding effects for the Control of Pollution Act 1974, SCHEDULE 1. (See end of Document for details)*

## SCHEDULES

### [<sup>F1</sup>SCHEDULE 1

#### NOISE ABATEMENT ZONES

##### Textual Amendments

**F1** Sch. 1 substituted by [Local Government Planning and Land Act 1980 \(c. 65\), s. 1\(2\), Sch. 2 para. 18](#)

- 1 Before making a noise abatement order the local authority—
  - (a) shall serve on every owner, lessee and occupier (other than tenants for a month or any period less than a month) of any of the premises within the area and of a class to which the order will relate; and
  - (b) shall publish in the London Gazette and once at least in each of two successive weeks in some newspaper circulating in the area to which the order will relate,  
a notice complying with the requirements set out in the following paragraph.
- 2 The requirements referred to in the preceding paragraph are that the notice—
  - (a) shall state that the local authority propose to make the order, and its general effect;
  - (b) shall specify a place in the area of the local authority where a copy of the order and of any map or plan referred to in it may be inspected by any person free of charge at all reasonable times during a period of not less than six weeks from the date of the last publication of the notice; and
  - (c) shall state that within the said period any person who will be affected by the order may by notice in writing to the local authority object to the making of the order.
- 3
  - (1) If an objection is duly made to the local authority within the said period, and is not withdrawn, the local authority shall not make the order without first considering the objection.
  - (2) The local authority may make the order without complying with sub-paragraph (1) of this paragraph if they are satisfied that compliance is unnecessary having regard—
    - (a) to the nature of the premises to which the order will relate when it comes into force; or
    - (b) to the nature of the interests of the persons who have made objections which have not been withdrawn.
  - (3) Where the order varies or revokes a previous order, the local authority may, in acting under this paragraph disregard any objection to the order which in their opinion amounts in substance to an objection which was made to the previous order.
- 4
  - (1) Subject to paragraph 5 below, an order shall come into operation on such date after it is made as may be specified in it.

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- (2) Except in the case of an order revoking an existing order or varying an existing order by excluding from it any specified class of premises, the date specified under subparagraph (1) above shall not be a date earlier than one month from the date on which the order is made.
- 5 If, before the date on which the order is to come into operation, the local authority—
- (a) passes a resolution postponing the coming into operation of the order; and
  - (b) publishes a notice stating the effect of the resolution in the London Gazette and once at least in each of two successive weeks in a newspaper circulating in the area to which the order relates,
- the order shall, unless there is a further postponement under paragraph (a) above, come into operation on the date specified in the resolution.]

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