
Changes to legislation: Environment Act 1995, Paragraph 7 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 17

STATUTORY NUISANCES: SCOTLAND

Amendments of the Environmental Protection Act 1990

7 In Schedule 3 (statutory nuisance; supplementary provisions)—

(a) after paragraph 1 there shall be inserted—

“Appeals to Sheriff

1A (1) This paragraph applies in relation to appeals to the sheriff under section 80(3) against an abatement notice.

(2) An appeal to which this paragraph applies shall be by way of a summary application.

(3) The Secretary of State may make regulations as to appeals to which this paragraph applies and the regulations may in particular include or prescribe any of the matters referred to in sub-paragraphs (4)(a) to (d) of paragraph 1 above.”;

(b) in paragraph 2 at the end there shall be added—

“(8) In the application of this paragraph to Scotland, a reference to a justice of the peace or to a justice includes a reference to the sheriff.”;

(c) in paragraph 2A(1)(b) after the word “street” there shall be inserted the words “ or, in Scotland, road ”;

(d) in paragraph 4 at the end there shall be added—

“(9) This paragraph does not apply to Scotland.”;

(e) in paragraph 6 after the words “magistrate’s court” there shall be inserted the words “ or, in Scotland, the sheriff ”.

Changes to legislation:

Environment Act 1995, Paragraph 7 is up to date with all changes known to be in force on or before 27 June 2024. There are changes that may be brought into force at a future date. Changes that have been made 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:

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

- s. 82(1A) inserted by [2024 asc 2 s. 16\(3\)](#)
- s. 83B inserted by [2024 asc 2 s. 17\(1\)](#)
- s. 85(3)(e)(f) inserted by [2024 asc 2 s. 18\(b\)](#)
- Sch. 7 para. 7(4A)(4B) inserted by [2007 c. 28 Sch. 14 para. 4\(3\)](#)