



Clean Neighbourhoods and Environment Act 2005

CHAPTER 16

CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

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Status: Point in time view as at 16/03/2006.

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CHAPTER 3

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SCHEDULES

SCHEDULE 1 — Application of the Noise Act 1996 to licensed premises etc

- 1 The Noise Act 1996 (c. 37) is amended as follows....
- 2 In the heading to section 2, omit “from a dwelling”....
- 3 (1) Section 2 (investigations of complaints of noise) is amended...
- 4 (1) Section 3 (warning notices) is amended as follows.
- 5 In the heading to section 4, after “where noise” insert...
- 6 After section 4 insert— Offence where noise from other premises...
- 7 (1) Section 5 (permitted level of noise) is amended as...
- 8 (1) Section 6 (approval of measuring devices) is amended as...
- 9 (1) Section 7 (evidence) is amended as follows.
- 10 (1) Section 8 (fixed penalty notices) is amended as follows....
- 11 (1) Section 8A (amount of fixed penalty), as inserted by...
- 12 (1) Section 9 (section 8: supplementary) is amended as follows....
- 13 (1) Section 10 (powers of entry and seizure etc) is...
- 14 In the Schedule (powers in relation to seized equipment) in...

SCHEDULE 2 — Commission for Architecture and the Built Environment

Status

- 1 (1) The Commission is not to be regarded as the...

Membership

- 2 (1) The Secretary of State must— (a) appoint the members...

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Tenure

- 3 (1) The Secretary of State may not appoint a person...

Staff etc

- 4 (1) The Commission may appoint staff, agents and advisers.

Committees

- 5 (1) The Commission may establish one or more committees.

Remuneration etc

- 6 (1) The Commission may pay to or in respect of...

Delegation

- 7 The Commission may delegate any of its functions to—

Proceedings

- 8 (1) The Commission may, subject to the other provisions of...

Accounts

- 9 (1) The Commission must— (a) keep proper accounting records, and...

Annual report

- 10 (1) The Commission must send to the Secretary of State...

Instruments and authentication

- 11 (1) The fixing of the seal of the Commission must...

Records

- 12 In Schedule 1 to the Public Records Act 1958 (c....

Disqualification

- 13 In the House of Commons Disqualification Act 1975 (c. 24),...

Transitional provisions

- 14 (1) A person who immediately before the appointed day was...

Interpretation

- 15 (1) The appointed day is the day on which section...

SCHEDULE 3 — Transfer of staff, property etc from the old Commission

Transfer of staff

- 1 For the purposes of TUPE— (a) the functions conferred on...
2 In paragraph 1 “TUPE” means the Transfer of Undertakings
(Protection...

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Transfer of property, rights and liabilities

- 3 All property, rights and liabilities to which the old Commission...
- 4 The reference in paragraph 3 to rights and liabilities does...
- 5 Paragraph 3 has effect in relation to property, rights and...
- 6 Anything done by or in relation to the old Commission...
- 7 Anything (including legal proceedings) which immediately before the appointed day...
- 8 So far as is necessary or appropriate in consequence of...

The appointed day

- 9 The appointed day is the day on which section 92...

SCHEDULE 4 — Minor and consequential amendments

Highways Act 1980 (c. 66)

- 1 In section 325 of the Highways Act 1980, in subsection...

Environmental Protection Act 1990 (c. 43)

- 2 The Environmental Protection Act 1990 is amended as follows.
- 3 (1) Section 52 is amended as follows.
- 4 In section 60(1)— (a) in paragraph (a), for the words...
- 5 In section 89(1), at the end of paragraph (e) insert...
- 6 In section 91(1), at the end of paragraph (e) insert...
- 7 In section 92(1), at the end of paragraph (b) insert...
- 8 In section 95(1), after paragraph (b) insert and
- 9 In section 96(1)(b), after “section 92(9)” insert “ or 92C(3)...
- 10 (1) Section 161 is amended as follows.

Control of Pollution (Amendment) Act 1989 (c. 14)

- 11 (1) Section 8 of the Control of Pollution (Amendment) Act...

Anti-social Behaviour Act 2003 (c. 38)

- 12 The Anti-social Behaviour Act 2003 is amended as follows.
- 13 In section 41(3), in the definition of “temporary event notice”...
- 14 In section 45, for subsection (1) substitute—
- 15 In section 47(1), after “sections 43” insert “ to 43B...
- 16 In the cross-heading preceding section 48, after “graffiti” insert “...
- 17 (1) Section 48 is amended as follows.
- 18 In sections 49(1) and 51(1) and (3), for “graffiti removal...
- 19 In the heading to section 52, for “graffiti removal notices”...

SCHEDULE 5 — Repeals

- Part 1 — VEHICLES
- Part 2 — LITTER AND REFUSE
- Part 3 — GRAFFITI AND OTHER DEFACEMENT
- Part 4 — WASTE
- Part 5 — DOG CONTROLS
- Part 6 — STRAY DOGS
- Part 7 — NOISE
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Part 9 — USE OF FIXED PENALTY RECEIPTS
Part 10 — CONTAMINATED LAND

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