

Clean Neighbourhoods and Environment (Amendment) Bill [HL]

EXPLANATORY NOTES

Explanatory notes to the Bill, prepared by Lord Selsdon, the Member in charge of the Bill, are published separately as HL Bill 14 – EN.

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TO

Raise the penalty for littering offences; and to require local authorities to provide appropriate and convenient litter disposal points for the entrances to public buildings.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Litter offence: fixed penalty notices

- (1) In subsection (6A)(b) of section 88 of the Environmental Protection Act 1990, for “£75” substitute “£100”.
- (2) In Regulation 2 of the Environmental Offences (Fixed Penalties) (Miscellaneous Provisions) Regulations 2007 (prescribed range of fixed penalties), for “is not less than £50 and not more than £80” substitute “is not less than £100”. 5

2 Provision of litter disposal points for public buildings

- (1) The Clean Neighbourhoods and Environment Act 2005 is amended as follows.
- (2) After section 27 insert the following new section— 10

“27A Duty to provide for disposal units for litter

 - (1) Bodies with a duty to keep land clear of litter as set out in section 89(1) of the Environmental Protection Act 1990 must provide appropriate disposal units specifically for chewing gum and cigarette litter at the entrance of buildings for which they are responsible and any areas for which they are the litter authority. 15
 - (2) The maximum distance for an appropriate disposal unit for litter from the entrance of a building under subsection (1) is four metres.
 - (3) The minimum number of appropriate disposal units in an area for which the local authority is responsible as the litter authority is one per 100 square metres. 20

- (4) Disposal units installed under this section must be stick resistant and fireproof.
- (5) Local authorities may fund these disposal units, and any related litter campaign, through—
- (a) income generated through advertising on the exterior of such units; or
 - (b) allowing sponsored bins.
- (6) In this section, “cigarette litter” has the same meaning as the items listed in section 98(5A)(a) of the Environmental Protection Act 1990 and “chewing gum” has the same meaning as the items listed in section 98(5A)(b) of the same Act.”

3 Consequential amendment

In subsection (2) of section 19 of the Clean Neighbourhoods and Environment Act 2005 (amount of fixed penalty), for “£75” substitute “£100”.

4 Short title, commencement and extent

- (1) This Act may be cited as the Clean Neighbourhoods and Environment (Amendment) Act 2013.
- (2) This Act comes into force at the end of the period of one year beginning with the day on which it is passed.
- (3) This Act extends to England and Wales, Scotland and Northern Ireland.

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Lord Selsdon

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