



# London Local Authorities Act 1995

## 1995 CHAPTER x

### PART III

#### ADVERTISEMENTS, DISPLAYS, ETC.

#### 12 Defacement of buildings

- (1) Where there is a sign to which this subsection applies in the borough of a participating council on a surface to which this section applies, if that council consider it to be detrimental to the amenity of the area or offensive, they may—
  - (a) serve on the occupier of the premises which include the surface; or
  - (b) if there appears to be no occupier of the premises which include the surface, affix to the surface;

a notice under this section, requiring the occupier or in the case of paragraph (b) above the occupier or owner to remove or obliterate the sign within a period specified in the notice, being not less than 14 days after the service or affixation of the notice.
- (2) A sign to which subsection (1) of this section applies includes any writing, letter, picture, device or representation, other than an advertisement within the meaning of the Act of 1990.
- (3) A person on whom notice has been served under subsection (1) (a) above, or the occupier or owner of premises which include a surface to which a notice has been affixed under subsection (1) (b) above may appeal to a magistrates' court on any of the following grounds:—
  - (a) that the sign is not detrimental to the amenity of the area and is not offensive;
  - (b) that there has been some informality, defect or error in, or in connection with, the notice;
  - (c) in the case of a notice under subsection (1) (a) above, that the notice should have been served on another person.
- (4) If and in so far as an appeal under this section is based on the ground of some informality, defect or error in, or in connection with, the notice, the court shall dismiss the appeal, if it is satisfied that the informality, defect or error was not a material one.

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*Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.*

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- (5) Where the grounds upon which an appeal under this section is brought include a ground specified in subsection (3) (c) above, the appellant shall serve a copy of his notice of appeal on each other person referred to therein.
- (6) Subject to such right of appeal as aforesaid, if the person required by the notice to remove or obliterate the sign fails to do so within the time thereby limited, the council may themselves remove or obliterate the sign.
- (7) Where there is a sign to which this subsection applies in the borough of a participating council on a surface to which this section applies and the owner or occupier of the premises which include that surface requests that council to remove or obliterate that sign, the council may do so and they may recover from the said owner or occupier the expenses reasonably incurred by them in so doing.
- (8) A sign to which subsection (7) of this section applies includes any writing, letter, picture, device or representation, and any advertisement within the meaning of the Act of 1990, other than an advertisement for the display of which deemed or express consent has been granted under the Act of 1990 or regulations made thereunder.
- (9) A surface to which this section applies is the surface of any building, wall, fence or other structure or erection, where that surface is readily visible from a place to which the public have access.