



# Building Act 1984

## 1984 CHAPTER 55

### PART III

#### OTHER PROVISIONS ABOUT BUILDINGS

##### *Provision of sanitary conveniences*

#### **68 Erection of public conveniences.**

- (1) No person shall erect a public sanitary convenience in, or so as to be accessible from, a street without the consent of the local authority, who may give their consent upon such terms as to the use of the convenience or its removal at any time, if required by them, as they think fit.
- (2) A person who contravenes subsection (1) above is liable on summary conviction to a fine not exceeding level 1 on the standard scale, without prejudice to the right of the authority under subsection (4) below to require the convenience to be removed.
- (3) A person aggrieved by the refusal of a local authority to give a consent under subsection (1) above, or by any terms imposed by them, may appeal to a magistrates' court.
- (4) The local authority may by notice require—
  - (a) the owner of a sanitary convenience—
    - (i) that has been erected in contravention of subsection (1) above, or
    - (ii) that the authority are, by virtue of the terms of a consent given under that subsection, entitled to require to be removed,to remove it, or
  - (b) the owner of a sanitary convenience that opens on a street, and is so placed or constructed as to be a nuisance or offensive to public decency, to remove it or permanently close it.
- (5) Sections 99 and 102 below apply in relation to a notice given under subsection (4) above.

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*Status: Point in time view as at 28/06/2022. This version of this provision has been superseded.*

*Changes to legislation: There are outstanding changes not yet made by the legislation.gov.uk editorial team to Building Act 1984. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details)*

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- (6) in this section, a reference to a local authority, in relation to a street that is a highway for which the local authority are not the highway authority, is a reference to the highway authority.
- (7) Subsection (1) above does not apply to a sanitary convenience erected—
- (a) by a railway company within their railway station or its yard or approaches, or
  - (b) by dock undertakers in or on land that belongs to them and is held or used by them for the purposes of their undertaking.
- (8) This section does not affect the powers of—
- (a) a county council . . . <sup>F1</sup> under section 87 of the <sup>M1</sup>Public Health Act 1936,
  - (b) the [<sup>F2</sup>Secretary of State][<sup>F2</sup>appropriate national authority] under section 112 of the <sup>M2</sup>Highways Act 1980, or
  - (c) a county council under section 114(1) of the Highways Act 1980.

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**Textual Amendments**

**F1** Words repealed by [Local Government Act 1985 \(c. 51, SIF 81:1\)](#), s. 102, [Sch. 17](#)

**F2** Words in s. 68(8)(b) substituted (28.6.2022 for E.) by [Building Safety Act 2022 \(c. 30\)](#), s. 170(4)(b)(c), [Sch. 5 para. 50](#); S.I. 2022/561, reg. 3(f), Sch. para. 26

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**Marginal Citations**

**M1** 1936 c. 49.

**M2** 1980 c. 66.

**Status:**

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