



# London Local Authorities Act 2007

## 2007 CHAPTER ii

### PART 2

#### PUBLIC HEALTH AND THE ENVIRONMENT

##### *Advertising*

#### **8 Automatic minimum fine on third conviction for fly posting or shroud advertisement offence**

- (1) Where a person is convicted of a fly posting or shroud advertisement offence committed in Greater London, the court by which he is convicted shall, if the circumstances specified in subsection (4) below are present, impose a fine, the level of which shall be a minimum of level 4 on the standard scale and a maximum of £20,000.
- (2) Subsection (1) above shall not apply where the court is of the opinion that there are particular circumstances which—
  - (a) relate to any of the offences or to the offender; and
  - (b) would make it unjust to do so in all the circumstances.
- (3) Section 224(3) of the Planning Act, insofar as it makes provision for the punishment of offenders, shall not apply where subsection (1) above applies.
- (4) The circumstances mentioned in subsection (1) above are that, during the five years ending with the date of the conviction, the person has been convicted of, in total, no fewer than three fly posting or shroud advertisement offences, providing that the conditions in subsections (5), (6) and (7) below are satisfied.
- (5) The first condition is that the first of the three convictions was in respect of an offence which was committed after the date on which this section came into force.
- (6) The second condition is that the second of the three convictions was in respect of an offence which was committed after the date of the first conviction.

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*Status: This is the original version (as it was originally enacted).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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- (7) The third condition is that the third of the three convictions was in respect of an offence which was committed after the date of the second conviction.
- (8) The Powers of Criminal Courts (Sentencing) Act 2000 (c. 6) shall apply in Greater London as if in section 112(1)(a) (appeals where previous convictions set aside), after “or 111 above” the words “or under section 8(1) of the [London Local Authorities Act 2007 \(c. ii\)](#) (automatic minimum fine on third conviction for fly posting or shroud advertisement offence)” were inserted.