

CLEAN NEIGHBOURHOODS AND ENVIRONMENT ACT 2005

EXPLANATORY NOTES

THE ACT

Commentary on Sections

Part 4: Graffiti and Other Defacement

Graffiti and fly-posting

Section 31 Extension of graffiti removal regime to fly-posting

111. Sections 48 to 52 of the Anti-social Behaviour Act 2003 enable local authorities to issue notices requiring the removal of graffiti within 28 days from certain surfaces to statutory undertakers (such as railways and port authorities) or a person responsible for street furniture. If the graffiti removal notice is not complied with, the local authority can remove the graffiti themselves and reclaim their costs.
112. [Section 31](#) amends the powers to issue graffiti removal notices (in respect of the defacement of a relevant surface to a degree that is detrimental to the amenity of an area or that is offensive) under sections 48-52 of the Anti-social Behaviour Act 2003 by extending their application to cover illegal advertising (fly posting). This enables a removal notice to be issued requiring the removal of any poster or flyer displayed on a relevant surface in contravention of regulations made under section 220 of the Town and Country Planning Act 1990.
113. [Paragraph 17](#) of Schedule 4 makes consequential amendments to the Anti-social Behaviour Act 2003 so as to re-name these notices as “defacement removal notices”.