



Public Health Act 1961

1961 CHAPTER 64

PART IV

STREETS AND PUBLIC PLACES

Streets

51 Refuse and litter bins

- (1) Subject to the provisions of this section, a county council, local authority or parish council may provide and maintain in any street or public place receptacles for refuse or litter :

Provided that a county council's powers under this subsection shall not be exercisable in a borough or urban district.

- (2) It shall be the duty of a county council, local authority or parish council to make arrangements for the regular emptying and cleansing of any receptacles for refuse or litter provided or maintained by them under this section or under section one hundred and fifty-six of the Highways Act, 1959; and a county council, local authority or parish council shall have power to cleanse and empty receptacles for refuse or litter provided in any street or public place by them or any other person.
- (3) The regular emptying mentioned in the last preceding subsection shall be sufficiently frequent to ensure that no such receptacle or the contents thereof shall become a nuisance or give reasonable ground for complaint.
- (4) In any place where a receptacle for refuse or litter may be provided or maintained under this section or under section one hundred and fifty-six of the Highways Act, 1959, a county council, local authority or parish council may put up notices about the leaving of refuse and litter, and for that purpose may, subject to the provisions of this section, erect and maintain notice boards.
- (5) No authority shall have power under this section to place any receptacle for refuse or litter or any notice board—

Status: This is the original version (as it was originally enacted).

- (a) on any land forming part of an open space as defined in the Open Spaces Act, 1906, which is provided by or under the management and control of some other authority (being a county council, local authority or parish council or parish meeting) without the consent of that other authority, or
- (b) on any other land not forming part of a street without the consent of the owner and of the occupier of that land,

and the Third Schedule to this Act (which makes it necessary to obtain certain consents before carrying out works in streets) shall also apply to the powers conferred by this section.

- (6) A county council may if they think fit make a contribution to any expenditure incurred by a parish council under this section.
- (7) A parish council may contribute towards—
 - (a) the reasonable expenses incurred by any person in doing anything which the parish council have power to do under this section, and
 - (b) the expenses incurred by any other parish council in exercising their powers under this section,

and two or more parish councils may by agreement combine for the purpose of exercising their powers under this section.

- (8) A county council, local authority or parish council may sell refuse or litter removed by them from any receptacles for refuse or litter.
- (9) Paragraph (a) of subsection (1) of section seventy-six of the Public Health Act, 1936 (which authorises a local authority to provide receptacles for refuse), shall cease to have effect, and this section shall apply to any such receptacle provided under that section as if it had been provided under this section.
- (10) A reference to the said section seventy-six in any order made before the commencement of this Act under subsection (3) of section one hundred and ninety of the Local Government Act, 1933 (under which expenses incurred by a rural district council may be made special expenses separately chargeable in specified parts of the district), shall include a reference to this section.
- (11) Any person who wilfully removes or otherwise interferes with any receptacle or notice board provided or erected under this section or section one hundred and fifty-six of the Highways Act, 1959, shall be liable on summary conviction to a fine not exceeding five pounds; and the court by which that person is convicted may order him to pay a sum not exceeding twenty pounds as compensation to the county council, local authority or parish council concerned and any such order shall be enforceable in the same way as an order for costs to be paid by the offender.