
STATUTORY INSTRUMENTS

1994 No. 1896

The Litter (Northern Ireland) Order 1994

Litter control areas

Litter control areas

10.—(1) The Department may, by order, specify descriptions of land which may be designated under paragraph (3) as, or as part of, a litter control area.

(2) The power to specify descriptions of land under paragraph (1) includes power to describe land by reference to the ownership or occupation of the land or the activities carried on on it.

(3) A district council may, in accordance with the following provisions of this Article, by order designate any land in its district as, or as part of, a litter control area.

(4) No order under paragraph (3) designating any land shall be made unless the council is of the opinion that, by reason of the presence of litter, the condition of the land is, and unless the council makes a designation order is likely to continue to be, such as to be detrimental to the amenities of the locality.

(5) The power to make a designation order under paragraph (3) shall be excluded from the functions to which section 18 of the Local Government Act (Northern Ireland) 1972⁽¹⁾ (functions capable of delegation to a committee) applies.

(6) A district council proposing to make a designation order in relation to any land shall—

- (a) notify persons who appear to the council to be persons who will be affected by the proposed order;
- (b) give them an opportunity to make representations about it within the period of 21 days from the service of the notice; and
- (c) take any representations so made into account in making its decision.

(7) A designation order under paragraph (3) shall identify the land to which it applies and shall be in such form as regulations prescribe.