

These notes refer to the Clean Neighbourhoods and Environment Act (Northern Ireland) 2011 (c.23) which received Royal Assent on 4 May 2011

Clean Neighbourhoods and Environment Act (Northern Ireland) 2011

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 4 – Graffiti and Other Defacement

Section 36 – Removal or obliteration of graffiti, placards and posters

This section replaces Article 18 of the Local Government (Miscellaneous Provisions) (Northern Ireland) Order 1985 with a new Article 18. Article 18 provides a district council with the power to remove or obliterate graffiti which is detrimental to the amenity of any land in its district or any illegally displayed placards or posters. It also enables a council, in certain circumstances, to recover the costs it incurs in carrying out such removal or obliteration. Under new Article 18, in circumstances where a council gives notice of its intention to remove or obliterate any graffiti, placard or poster, the period of notice is reduced from 14 days to 2 days. The cost of removal will be borne, where possible, by the person who displayed the graffiti, placard or poster or caused it to be displayed or the person whose goods, services or concerns are publicised. Provision is made for compensation to be claimed by a person (other than the person who displayed the graffiti, placard or poster or caused it to be displayed) whose property is damaged by a district council exercising the power to remove or obliterate graffiti, placards or posters.