
STATUTORY INSTRUMENTS

1994 No. 1896

The Litter (Northern Ireland) Order 1994

Summary proceedings to deal with litter

[^{F1}Litter clearing notices

12A.—(1) A district council may in accordance with this Article serve a notice (a “litter clearing notice”) in relation to any land in its district which is open to the air.

(2) Before serving a litter clearing notice in relation to any land a district council must be satisfied that the land is defaced by litter so as to be detrimental to the amenity of the locality.

(3) A litter clearing notice is to require the person on whom it is served—

- (a) to clear the land of the litter; and
- (b) if the district council is satisfied that the land is likely to become defaced by litter again, to take reasonable steps to prevent it from becoming so defaced.

(4) A litter clearing notice shall be served on—

- (a) the occupier of the land to which it relates; or
- (b) if the land is not occupied, the owner.

(5) A litter clearing notice imposing a requirement under paragraph (3)(a) may specify—

- (a) a period within which the requirement must be complied with;
- (b) standards of compliance.

(6) A period specified under paragraph (5)(a) shall not be less than 28 days beginning with the day on which the notice is served.

(7) A district council shall, in discharging its functions under this Article, have regard to any guidance given to it by the Department.

(8) The form and content of a litter clearing notice shall be such as the Department may by order specify.

(9) Where a district council proposes to serve a litter clearing notice in respect of any land but is unable after reasonable enquiry to ascertain the name or proper address of the occupier of the land (or, if the land is unoccupied, the owner)—

- (a) the council may post the notice on the land (and may enter any land to the extent reasonably necessary for that purpose), and
- (b) the notice shall be treated as having been served upon the occupier (or, if the land is unoccupied, the owner) at the time the notice is posted.

(10) A litter clearing notice shall not be served in relation to land of any of the following descriptions—

- (a) a road;
- (b) land under the direct control of a district council;
- (c) Crown land;
- (d) relevant land of a designated statutory undertaker;

Changes to legislation: There are currently no known outstanding effects for the *The Litter (Northern Ireland) Order 1994, Section 12A*. (See end of Document for details)

(e) relevant land of a designated educational institution.]

F1 Arts. 12A-12C inserted (1.4.2012) by [Clean Neighbourhoods and Environment Act \(Northern Ireland\) 2011 \(c. 23\)](#), **ss. 17(2)**, 78; S.R. 2012/13, Sch. 2

Changes to legislation:

There are currently no known outstanding effects for the The Litter (Northern Ireland) Order 1994, Section 12A.