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STATUTORY INSTRUMENTS

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**1994 No. 1896**

**The Litter (Northern Ireland) Order 1994**

Street litter

**Street litter control notices**

**13.**—(1) A district council may, with a view to the prevention of accumulations of litter in and around any street or open land adjacent to any street, issue notices (“street litter control notices”) imposing requirements on occupiers of premises in relation to litter, in accordance with this Article and Article 14.

(2) If the council is satisfied, in respect of any premises which are of a description prescribed under Article 14(1)(a) and have a frontage on a street in its district, that—

- (a) there is recurrent defacement by litter of any land, being part of the street or open land adjacent to the street, which is in the vicinity of the premises, or
- (b) the condition of any part of the premises which is open land in the vicinity of the frontage is, and if no notice is served is likely to continue to be, detrimental to the amenities of the locality by reason of the presence of litter, or
- (c) there is produced, as a result of the activities carried on on the premises, quantities of litter of such nature and in such amounts as are likely to cause the defacement of any part of the street, or of open land adjacent to the street, which is in the vicinity of the premises,

the council may serve a street litter control notice on the occupier or, if the premises are unoccupied, on the owner of the premises.

(3) A notice shall, subject to Article 14(2), (3) and (4)—

- (a) identify the premises and state the grounds under paragraph (2) on which it is issued;
- (b) specify an area of open land which adjoins or is in the vicinity of the frontage of the premises on the street;
- (c) specify, in relation to that area or any part of it, such reasonable requirements as the council considers appropriate in the circumstances;

and, for the purposes of sub-paragraph (b), an area which includes land on both sides of the frontage of the premises shall be treated as an area adjoining that frontage.

(4) In this Article and Article 14—

“notice” means a street litter control notice;

“open land” means land in the open air;

“the premises”, in relation to a notice, means the premises in respect of which the notice is issued;

“specified area” means the area specified in a notice under paragraph (3)(b); and

“street” means a road over which there is a right of way on foot.