

A rough guide to the
London Local Authorities Act

2007



Introduction

One role of London Councils is to help promote private legislation on behalf of the boroughs. The 9th London Local Authorities Bill received Royal Assent and became the LLA Act 2007.

Like previous LLA Acts, London Councils played a leading role in steering the provisions through parliament to gain new powers to help London boroughs tackle a range of nuisances that adversely affect the local environment, and the quality of life of their residents.

This rough guide explains some of the most important provisions in the Act. Further details are available on the London Councils website at www.londoncouncils.gov.uk. All provisions came into force on 19 September 2007, except where stated, and are only applicable to London.

Advertising and fly posting

The Act:

- allows councils to ban the display of many types of portable advertisements within a designated area on grounds of public safety or amenity. Anyone contravening the ban can be fined up to £2,500
- sets higher fines for repeat offenders. Third offences of fly posting or 'shroud advertisement' offences (*which involve adverts hung from buildings or scaffolding*) will attract fines of up to £20,000, instead of a current maximum of £2,500
- enables councils to force owners or occupiers to take action to stop people persistently posting up unauthorised adverts on their buildings. Councils will also have the power to carry out any necessary work, and to recoup their costs from the owner or occupier ([click link for code of practice for the prevention of persistent unauthorised advertisements](#))
- allows council officers to seize items where they suspect a fly posting offence has been committed



Waste and litter

The Act:

- allows councils to set standard regulations for householders and businesses about rubbish collection, including where to place bins and what to put into different recycling containers. Councils will be able to impose a penalty charge on those who fail to comply (*£110 penalty charge, reduced to £66 if paid within 14 days.*)



- enables councils to serve a penalty charge notice on a vehicle owner when a littering offence has been committed by somebody inside the vehicle (*for example, by throwing rubbish out into the road*). Buses, coaches, taxis and private hire vehicles are exempt (*£100 penalty charge, reduced to £60 if paid within 14 days.*)
- allows councils to require proof that anyone wanting to dump rubbish at a civic amenity site lives in the borough, or an adjoining council area, and to refuse access to anyone from outside the area

Abandoned vehicles **The Act:**

- amends previous legislation so that in some circumstances councils will no longer have to give notice to occupiers that they intend to remove abandoned vehicles from their land, saving time and money
- tightens existing legislation so that anyone wishing to reclaim a vehicle that has been removed by the council will need to produce evidence that he or she has paid the fixed penalty for the offence, and has the necessary insurance, tax and MOT certificate (*if the owner does not have the documents he or she can pay a bond to take away the vehicle, which will be repaid when the documents are produced. The bond level has been set at £120*)

Other environmental provisions

The Act:

- allows a council (or two or more councils acting together) to apply to the Secretary of State to designate an area of land as an enforcement action zone, where higher fines can be imposed for a number of environmental crimes including littering, graffiti, noise nuisance and fly posting. This will help councils clean up sensitive areas, such as tourist attractions
- enables a council to serve notice on owners and occupiers to clear vegetation where its growth has an adverse effect on the amenity of an area



Licensing The Act:

- introduces in London a new class of establishment, known as hostess bars, which will be subject to licensing as sex establishments. The definition replaces the old 'near beer' premises, which were subject to less strict licensing requirements. *(This provision came into force in Westminster on 19 September 2007, but the starting date for all other boroughs depends on the resolution of each council)*

Street trading The Act:

- tightens existing legislation with new definitions of what constitutes street trading and closes a potential loophole which could have enabled some trading on bridges over the Thames
- gives councils more powers over the granting, suspension or revoking of temporary licences
- allows council officers to seize perishable items (previously excluded from the list of what could be seized) from unlawful street traders
- extends the time period within which proceedings have to be instituted in the case of unlawful trading of motor vehicles



Penalty charges and fixed penalties

The Act:

- adds two forms of offence for which councils can impose penalty charges (*use and placement of waste bins and littering from a vehicle*), and paves the way for more in the future by setting out general procedures relating to penalty charges, including the setting of fees, implementation, payments and appeals
- extends the period within which the recipient of a fixed penalty notice must pay from 14 to 28 days (*the deadline for discounts for quick payment remains at 14 days*)

Other measures

The Act:

- tightens existing legislation controlling the sale of sex videos to also cover their display
- allows council officers powers of entry (*by force if necessary*), search and seizure of goods from premises being used for temporary sleeping accommodation where enforcement notices have already been breached
- prohibits soliciting people to sex establishments and certain other premises
- allows councils to charge telecommunication companies for using underground pipes provided by the council (*the date of implementation depends on the resolution of each borough*)
- allows burial authorities to disturb human remains that have been there for at least 75 years in order to deepen graves to allow more burials. The remains will have to be buried again in the same grave
- makes it compulsory for mail forwarding businesses to register with their local council, and to keep records of their clients. The penalty for contravention is a fine up to £5,000. Councils can use their existing powers of entry, inspection and seizure for enforcement purposes (*the date of implementation depends on the resolution of each borough*)



London Councils is committed to fighting for more resources for London and getting the best possible deal for London's 33 councils. We develop policy, lobby government and others, and run a range of services designed to make life better for Londoners.



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