

Highways Act 1980 – Section 172

Hoardings to be set up during building etc

- 1 Subject to subsection (2) below, a person proposing to erect or take down a building in a street or court, or to alter or repair the outside of a building in a street or court, shall, before beginning the work, erect a close boarded hoarding or fence to the satisfaction of the appropriate authority so as to separate the building from the street or court. For the purposes of this section the appropriate authority, in relation to any street or court, is the council of the county or London borough in which it is situated or, if it is situated in the City, the Common Council.
- 2 The obligation to erect a hoarding or fence imposed by subsection (1) above may be dispensed with if the appropriate authority so consent.
- 3 Where a person has erected a hoarding or fence in compliance with subsection (1) above, he shall -
 - (a) if the appropriate authority so require, make a convenient covered platform and handrail to serve as a footway for pedestrians outside the hoarding or fence;
 - (b) maintain the hoarding or fence and any such platform and handrail in good condition to the satisfaction of the authority during such time as the authority may require;
 - (c) If the authority so require, sufficiently light the hoarding or fence and any such platform and handrail during the hours of darkness; and
 - (d) remove the hoarding or fence and any such platform and handrail when required by the authority.
- 4 A person aggrieved by the refusal of a consent under subsection (2) above or by a requirement under subsection (3) above may appeal to a magistrates' court.
- 5 Subject to any order made on appeal, if a person contravenes this section he is guilty of an offence and liable to a fine not exceeding [the current level]; and if the offence is continued after conviction he is guilty of a further offence and liable to a fine not exceeding [the current level] for each day on which the offence is so continued.