CHAPTER lxxviii.

An Act for the prohibition of future and regulation of existing Sky Signs in the Administrative County of London. [3rd July 1891.] A.D. 1891.

WHEREAS it is expedient with a view to the safety of the public and the prevention of unsightly erections in the administrative county of London to provide for the prohibition of certain erections above buildings or public streets for purposes of advertisement or announcement or similar purposes and for the regulation of such erections now existing and to enable the London County Council to take such proceedings and to execute such works as may be necessary or expedient to attain these objects:

And whereas the objects aforesaid cannot be attained without the authority of Parliament:

May it therefore please Your Majesty that it may be enacted and be it enacted by the Queen's most Excellent Majesty by and with the advice and consent of the Lords Spiritual and Temporal and Commons in this present Parliament assembled and by the authority of the same as follows (that is to say):—

Short title and extent of Act.

1. This Act may be cited as the London Sky Signs Act 1891 and shall extend and apply to the administrative county of London.

Definitions.

2. In this Act the following expressions have the meanings hereafter assigned thereto respectively viz.:—

"The Council" means the London County Council;

"Street" has the meaning assigned to that term in the Metropolis Management Act 1855 and the Acts amending the same;

"Sky sign" means any word letter model sign device or representation in the nature of an advertisement announcement or direction supported on or attached to any post pole standard framework or other support wholly or in part over any house building or structure which or any part of which sky sign shall

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be visible against the sky from any point in any street or public way and includes all and every part of any such post pole standard framework or other support The expression "sky sign" shall also include any balloon parachute or similar device employed wholly or in part for the purposes of any advertisement or announcement on or over any building structure street or public way but shall not be deemed to include (i) any flagstaff or pole (ii) any vane or weather-cock unless adapted or used wholly or in part for the purposes of any advertisement or announcement or (iii) any sign which is securely fixed to or against but not over any building or which rests immediately upon the top of any wall or building being of one continuous face and not open work or (iv) any such word letter model sign device or representation as aforesaid which relates exclusively to the business of a railway company and which is placed or may be placed wholly upon or over any railway station yard platform or station approach belonging to a railway company and which is also so placed that it could not fall into any street or public place.

District surveyor to act for the purposes of this Act.

3. For the purpose of giving effect to the provisions of this Act the district surveyor of each district acting under the Metropolis Management Act 1855 and the Metropolitan Building Act 1855 shall inspect and survey sky signs in his district and report from time to time to the Council or if his district be within the city of London to the Commissioners of Sewers of the city of London (herein-after called "the Commissioners of Sewers") as to any sky signs existing contrary to the provisions of this Act.

The expression "the surveyor" in this Act means the district surveyor so acting within his district.

Prohibition of future sky signs.

4. From and after the passing of this Act it shall be unlawful to erect any sky sign as defined in this Act within the administrative county of London.

Regulation of existing sky signs.

5. From and after the passing of this Act it shall be unlawful to retain any sky sign as defined in this Act which previously to the passing of this Act shall have been erected within the administrative county of London except in pursuance of and in accordance with the terms of a license to be granted by the Council or by the Commissioners of Sewers as the case may be as herein-after provided But where application shall have been made for a certificate or license as provided in this Act in respect of an existing sky sign no proceedings under this Act for the removal thereof shall be taken while the application is pending.

Certificates as to existing sky signs.

6. (1) Any person desiring to retain any existing sky sign as defined in this Act within the administrative county of London may at any time within three months after the passing of this Act make an application in writing to the surveyor for the district in which the sky sign is situate for the inspection and survey of such sky sign.

(2) The surveyor shall either grant a certificate that in his opinion the sky sign is so placed constructed and supported as not to be likely to involve danger to the public or he shall refuse to grant such certificate in which case he shall state the grounds of such refusal and such certificate or refusal shall be in the form set out in the schedule to this Act with such modifications if any as the circumstances may require.

(3) Every such application to the surveyor for a certificate with respect to a sky sign shall be accompanied by a payment of two guineas to such surveyor which shall be his fee for the inspection and survey and for the grant or refusal of the certificate as the case may be and it shall not be lawful for the surveyor to demand or receive any further fee or payment in respect thereof.

Application to Council for license.

7. Any person who shall have obtained a certificate from the surveyor as to a sky sign in accordance with Part I. of the schedule to this Act may at any time within fourteen days from the issue thereof forward the same to the Council with an application for a license from the Council to retain such sky sign for the period hereinafter provided and every such application for a license shall be accompanied by a fee of five shillings which shall be paid to the Council for and in respect of the registration of the license and the Council shall thereupon grant to such person a license for the maintenance and continuance of such sky sign for a period of two years from the date of issue of such license but such license shall not confer any right or title to maintain or continue such sky sign contrary to the provisions of any agreement condition or arrangement prohibiting or controlling the erection maintenance or continuance of such sky sign As regards the city of London this section shall be read and have effect as if the Commissioners of Sewers were named therein instead of the Council.

Renewal of license.

8. Every such license may be renewed from the expiration of the first period of two years for a further period of two years and on the expiration of that period for one other period of two years making with the original term of the license six years in all but not longer.

Every person desirous of obtaining a renewal of a license to retain a sky sign for any such period as aforesaid may make application to

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the surveyor for a further inspection and survey of such sky sign and such application shall be dealt with in the same manner as the original application for a certificate and the surveyor shall be entitled to a further fee of two guineas in respect thereof and any person who shall have obtained a certificate from the surveyor after any such re-inspection and re-survey in accordance with Part I. of the schedule to this Act may at any time within fourteen days from the issue thereof forward the same to the Council with an application for a license from the Council to retain the same sky sign and every such application for a license shall be accompanied by a fee of five shillings which shall be paid to the Council for and in respect of the registration of the license and the Council shall thereupon grant to such person a license for the retention of such sky sign for a period of two years from the date of the issue of such license As regards the city of London this section shall be read and have effect as if the Commissioners of Sewers were named therein instead of the Council.

Alteration of sky signs to meet surveyor's requirements.

9. (1) Where the surveyor refuses to grant a certificate applied for under this Act the applicant may if he think fit and can lawfully do so execute such repairs to or alterations in or modifications of the sky sign as shall meet the objections thereto as stated in the form of refusal and may thereupon make a further application to the surveyor to inspect and survey the sky sign.

(2) If the surveyor on re-inspection and re-survey be of opinion that the sky sign has been so repaired altered or modified that it is not likely to involve danger to the public he shall grant a certificate under this Act with respect to such sky sign and an application for license thereof may be made as in this Act provided.

(3) Every such application to the surveyor to re-inspect and re-survey a sky sign and for a certificate in respect thereof shall be accompanied by a payment of one guinea to such surveyor which shall be his fee for such re-inspection and re-survey and for the grant or refusal of a certificate thereupon as the case may be and it shall not be lawful for the surveyor to demand or receive any further fee or payment in respect thereof.

Notice of refusal of certificate to be sent to the Council.

10. Where the surveyor refuses to grant a certificate applied for under this Act it shall be the duty of the surveyor forthwith to forward a copy of his refusal to the Council or to the Commissioners of Sewers as the case may be.

Appeal against refusal of certificate.

11. Where the surveyor refuses to grant a certificate under this Act it shall be lawful for the applicant at any time within fourteen days after the date of such refusal to make application to the Council by way of appeal against such refusal and such appeal shall

be accompanied by a copy of the form of refusal by the surveyor Every such application by way of appeal shall be referred to the committee of appeal appointed by the Council under and in pursuance of section 212 of the Metropolis Management Act 1855 who may hear and determine the same with all such powers as they have under sections 211 and 212 of the said Act with regard to appeals therein mentioned and such committee may if they think fit grant a license for the retention of the sky sign for any such period as by this Act provided on such terms and conditions as they may think fit As regards the city of London this section shall be read and have effect as if the Commissioners of Sewers were named therein instead of the Council and the committee of appeal respectively and as if section 188 of the City of London Sewers Act 1848 were named therein instead of sections 211 and 212 of the Metropolis Management Act 1855.

Forfeiture of license.

12. In any of the following cases a license under this Act shall become void viz. :—

(i) If any addition to any sky sign be made except for the purpose of making it secure under the direction of the surveyor;

(ii) If any change be made in the sky sign or any part thereof;

(iii) If the sky sign or any part thereof fall either through accident decay or any other cause;

(iv) If any addition or alteration be made to or in the house building or structure on over or to which any sky sign is placed or attached if such addition or alteration involves the disturbance of the sky sign or any part thereof;

(v) If the house building or structure over on or to which the sky sign is placed or attached become unoccupied or be demolished or destroyed.

Penalties.

13. Any person who shall place erect or retain any sky sign contrary to the provisions of this Act or who shall suffer or permit any such sky sign to be placed erected or retained contrary to the provisions of this Act shall be liable to a penalty of five pounds and shall be also liable to a further penalty of forty shillings for every day on which the offence shall be continued after conviction thereof and all such penalties shall be recoverable summarily.

Removal of sky signs.

14. If any sky sign be erected or retained contrary to the provisions of this Act or after the license for the maintenance or retention thereof for any period shall have become void it shall be lawful for the Council in any part of the administrative county other than the city of London and for the Commissioners of Sewers of the city of London within the city of London to take proceedings for the taking down and removal of the sky sign in the same

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manner in all respects as if it were a structure which has been certified to be in a dangerous state under Part II. of the Metropolitan Building Act 1855 and the Acts amending the same and it shall be lawful for the Council or the said Commissioners as the case may be or any officers servants or workmen appointed by them for that purpose (after obtaining the order of a justice for the taking down of the sky sign in accordance with the provisions of the said Act and after the expiration of the period (if any) fixed by such order for taking down the same) to enter upon the land building or premises on or over which the sky sign is erected and to take down and remove the sky sign and to execute and do any works which may be necessary for that purpose and for leaving any building to which the same was attached in a condition of safety and all the expenses of and incidental to any such work shall be repaid and be recoverable in the same manner as expenses incurred in respect of a dangerous structure by virtue of the said Part II. of the said Act.

For the purpose of any such proceedings the expression "the owner" in the said part of the said Act shall mean the occupier of the house building or structure on or to which the sky sign is erected or attached or if the house building or structure is unoccupied then the person who would be the owner thereof within the meaning of the Metropolis Management Act 1855 and the Acts amending the same.

Payments under this Act.

15. All costs and expenses of the Council in the execution of this Act (except so far as they may be otherwise provided for by this or any other Act) shall be defrayed as payments for general county purposes within the meaning of the Local Government Act 1888 and the costs charges and expenses preliminary to and of and incidental to the preparing applying for obtaining and passing of this Act shall be paid by the Council in like manner.

All costs and expenses of the Commissioners of Sewers in the execution of this Act shall be paid out of their consolidated rate as part of the expenses of such Commissioners.

The SCHEDULE referred to in the foregoing Act.

PART I.

Form of Certificate.

London Sky Signs Act 1891.

District of .

Whereas A.B. of has made application to me pursuant to the London Sky Signs Act 1891 to inspect and survey a sky sign erected at I hereby certify that I have inspected and surveyed the same and in my opinion the said sky sign may be retained as now constructed for two years from the date hereof without being likely to cause danger to the public.

Dated this day of 189 .

(Signed) C.D.
Surveyor.

PART II.

Form of Refusal of Certificate.

London Sky Signs Act 1891.

District of .

Whereas A.B. of has made application to me pursuant to the London Sky Signs Act 1891 to inspect and survey a sky sign erected at I hereby certify that I have inspected and surveyed the same and I refuse to certify that the said sky sign is so constructed as not to be likely to cause danger to the public for the following reasons :—

Dated this day of 189 .

(Signed) C.D.
Surveyor.

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