[GB] Failure to Receive a Good TV Signal Does not Necessarily Constitute Actionable Nuisance

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David Goldberg
deeJgee Research/Consultancy

The House of Lords has ruled, in the case of Hunter and Others v Canary Wharf Ltd & Hunter and Others v London Docklands Development, that `A landowner was, generally, entitled to build on his land as he wished and, accordingly, would not be liable in nuisance because a large building [in this case Canary Wharf] he had erected had interfered with television reception.' An important point here was the fact that the action was brought by persons not having any proprietary interest in the land. The building caused interference in signals transmitted from the Crystal Palace transmitter (although a relay transmitter had subsequently been built).

The Court accepted that there were appropriate circumstances in which the transmission might be protected, as in the Canadian case of Nor-Video Services Ltd v Ontario Hydro ((1978) 84 DLR (3d) 221, 231). Here the question was: did the interference emanate from the defendant's land? "The mere fact that a building on the defendant's land got in the way and so prevented something from reaching the plaintiff's land was, generally speaking, not enough."

Hunter and Others vs. Canary Wharf Ltd and Hunter and Others vs. London Docklands Development Corporation, The Times Law Reports, 25 April 1997

http://www.the-Times.co.uk/news/pages/resources/ptimes1.n.html?1777515

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