

1987 No. 804

**TOWN AND COUNTRY PLANNING, ENGLAND
AND WALES**

**The Town and Country Planning (Control of
Advertisements) (Amendment) Regulations 1987**

<i>Made - - - -</i>	<i>5th May 1987</i>
<i>Laid before Parliament</i>	<i>8th May 1987</i>
<i>Coming into force</i>	<i>1st July 1987</i>

The Secretary of State for the Environment, in exercise of the powers conferred by sections 63, 109 and 287 of the Town and Country Planning Act 1971(a) and of all other powers enabling him in that behalf, hereby makes the following regulations:-

Citation and commencement

1. These Regulations may be cited as the Town and Country Planning (Control of Advertisements) (Amendment) Regulations 1987 and shall come into force on 1st July 1987.

Amendment of the Town and Country Planning (Control of Advertisements) Regulations 1984

2. The Town and Country Planning (Control of Advertisements) Regulations 1984(b) are hereby amended as follows-

(1) in regulation 8 (contravention of regulations), for "£200" substitute "£400" and for "£20" substitute "£40";

(2) at the end of regulation 14(1) insert the following-

"Class VIII—Directional advertisements for tourist attractions and facilities in experimental areas.

An advertisement described in Schedule 2A displayed in an experimental area as defined in that Schedule, during the period there described and subject to the conditions and limitations there specified and to the provisions of paragraph (2)(b) and (c) of this regulation.";

(3) in regulation 15(1) after "regulation 14" insert "(other than Class VIII)",

(4) after Schedule 2 to those Regulations insert the Schedule to these Regulations as Schedule 2A to those Regulations.

(a) 1971 c.78: section 63 was amended by section 45 of the Housing and Planning Act 1986 (c.63); and section 109 was amended by section 46 of the Criminal Justice Act 1982 (c.48) and by paragraph 13 of Schedule 11 to the Housing and Planning Act 1986.

(b) S.I. 1984/421.

SCHEDULE

DIRECTIONAL ADVERTISEMENTS FOR TOURIST ATTRACTIONS AND FACILITIES IN EXPERIMENTAL AREAS. (Regulation 14, Class VIII).

Interpretation

1. In this Schedule—

“existing directional advertisement” means a directional advertisement which is being displayed with express consent or with consent deemed to be granted under these Regulations; “traffic sign” means a sign (whether or not it is a directional advertisement) employed wholly for the control, guidance or safety of traffic, and displayed by, or with the permission of, a local highway, traffic or police authority in accordance with regulations and general directions made by the Secretary of State or in accordance with an authorisation and any relevant direction given by him.

Description of advertisement

2. An advertisement (in this Schedule called a “directional advertisement”) which is displayed for the purpose of directing visitors to the locality to a tourist attraction or a tourist facility specified thereon.

Definition of experimental areas and prescription of period

3. For the purpose of assessing the effect on amenity or public safety of advertisements of the description prescribed by paragraph 2 above, an area comprising the area of the Borough of Ashford, and the Districts of Dover and Shepway, is hereby defined as an experimental area for a period of two years beginning with 1st July 1987.

Conditions and limitations

4. The display of a directional advertisement is subject to the following limitations and conditions in addition to the standard conditions—

(1) the advertiser shall, not later than twenty one days beginning with the date on which the advertisement is first displayed,—

(a) notify the local planning authority in writing of—

(i) the date on which the advertisement was so displayed;

(ii) the precise location of the advertisement; and

(iii) the tourist attraction or tourist facility specified in the advertisement; and

(b) provide the local planning authority, by means of a scale drawing, or a plan, or a coloured photograph, with a description of the advertisement from which it may be readily identified;

(2) the advertisement shall not exceed 0.5 square metre in area and shall consist of white letters, figures, symbols, emblems or devices on a brown background;

(3) such letters, figures, symbols, emblems or devices shall be of a height of not less than 40 millimetres nor more than 250 millimetres, and neither they nor the background on which they are displayed shall consist of reflective material;

(4) the advertisement shall not be displayed on land forming part of a highway but shall be displayed on land adjacent to a highway by which the specified tourist attraction or facility may be approached;

(5) the advertisement shall be single sided and shall be displayed so as to be reasonably visible to the driver of a vehicle approaching it;

(6) an advertisement shall not be displayed—

(a) within 50 metres of an existing traffic sign if it faces in the same direction as that traffic sign;

(b) within 25 metres of an existing directional advertisement for any tourist attraction or tourist facility;

(c) if there is already an existing directional advertisement for the specified tourist attraction or tourist facility on the same approach route to that attraction or facility;

(d) outside a radius of two miles from the main entrance to the specified tourist attraction or facility;

(7) sub-paragraphs (5) and (6) above do not apply to one advertisement for a tourist attraction or tourist facility which is displayed at or immediately opposite the main entrance to such attraction or facility, and such advertisement may be double-sided.

Nicholas Ridley
Secretary of State for the Environment

5th May 1987

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations, made by the Secretary of State for the Environment after consultation (as respects regulation 2(1)) with the Secretary of State for Wales, amend the Town and Country Planning (Control of Advertisements) Regulations 1984.

Regulation 2(1) amends regulation 8 (contravention of regulations) of the 1984 Regulations. The fine of £200 specified in that regulation is increased to £400 to follow an increase to the standard scale by the Criminal Penalties etc. (Increase) Order 1984 (S.I. 1984/447). The daily fine of £20 for a continuing offence is increased to £40. These amendments apply throughout England and Wales.

The other amendments follow from section 45 of the Housing and Planning Act 1986 which amended section 63 of the Town and Country Planning Act 1971 (control of advertisements) and gave the Secretary of State powers to make regulations for experimental areas. During the period for which these areas are prescribed, certain advertisements can be displayed without express consent in order to assess their effect on amenity and public safety.

Regulation 2(2) and (4) of, and the Schedule to, these Regulations accordingly insert into the 1984 Regulations a new class (VIII) in regulation 14 (which specifies classes of advertisements which may be displayed without the grant of express consent) and a new Schedule (2A). These provide for the display, during an experimental period of two years from the coming into force of these Regulations, of advertisements which direct visitors to tourist attractions or tourist facilities in the areas of Ashford, Dover and Shepway in Kent.

Regulation 15 of the 1984 Regulations (which empowers the Secretary of State to exclude the application of regulation 14 in any particular area or any particular case) does not apply to a Class VIII advertisement (regulation 2(3)).