

SCHEDULE 5

Regulation 18

AREA OF SPECIAL CONTROL ORDERS

PART I

PROCEDURE FOR AREA OF SPECIAL CONTROL ORDERS

1. A local planning authority who propose—
 - (a) to designate an area of special control; or
 - (b) to modify an area of special control order,

shall make an area of special control order designating the area or indicating the modifications by reference to an annexed map.

2. If an area of special control order contains any descriptive matter relating to the area or the modifications in question, that descriptive matter shall prevail, in the case of any discrepancy with the map, unless the order provides to the contrary.

3. As soon as may be after the making of an area of special control order, the authority shall submit it to the Secretary of State for approval, together with—

- (a) two certified copies of the order;
- (b) a full statement of their reasons for making it;
- (c) in the case of an order modifying an existing order, unless the boundaries of the existing area of special control are indicated on the map annexed to the order, a plan showing both these boundaries and the proposed modifications; and
- (d) any additional certified copy of any of the material in subparagraphs (a) to (c) above, which the Secretary of State requires.

4. The authority shall forthwith publish in the London Gazette, and in two successive weeks in at least one newspaper circulating in the locality, a notice in prescribed Form 1.

5. If any objection is made to an order, in the manner and within the time provided for in the prescribed form, the Secretary of State—

- (a) may offer all interested parties an opportunity to make representations to him in writing about any such objection before such date as he may specify;
- (b) may, and at the request of any interested party shall, either provide for a local inquiry to be held or afford to the parties an opportunity of a hearing before a person appointed by him.

6. After considering any representations or objections duly made and not withdrawn and, where applicable, the report of any person holding an inquiry or hearing, the Secretary of State may, subject to paragraph 7 below, approve the order with or without modifications.

7. If the Secretary of State proposes to make a modification for the inclusion of additional land in an order, he shall—

- (a) publish notice of his intention to do so;
- (b) afford an opportunity for the making of objections to, or representations about, the proposed modification; and
- (c) if he considers it expedient, provide for a further inquiry or hearing to be held.

8. As soon as may be after the order has been approved, the local planning authority shall publish in the London Gazette, and in two successive weeks in at least one newspaper circulating in the locality, a notice of its approval in prescribed Form 2.

Status: This is the original version (as it was originally made).

9. An area of special control order shall come into force on the date on which the notice of its approval is published in the London Gazette.

10. Where a local planning authority propose to make an order revoking an area of special control order, a map showing the existing area shall be annexed to the order, and the procedure prescribed in paragraphs 2 to 9 of this Schedule in relation to an order modifying an existing order shall be followed, subject to the modification that the prescribed forms of notice under paragraphs 4 and 8 respectively are prescribed Forms 3 and 4.

11. Any reference in this Part of this Schedule to a prescribed form is to the form bearing that number in Part II of this Schedule or a form substantially to the like effect.

PART II
FORMS OF NOTICE

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FORMS OF NOTICE

FORM 1

NOTICE OF AN AREA OF SPECIAL CONTROL ORDER

Town and Country Planning Act 1990

Town and Country Planning (Control of Advertisements) Regulations 1992

1. We, the *(insert name of Council)* give notice that we have submitted an area of special control order, made under regulation 18 of the Town and Country Planning (Control of Advertisements) Regulations 1992, to the Secretary of State *for the Environment/for Wales for approval under Schedule 5 to the Regulations.

2. *The order designates the area of land described in the Schedule hereto and shown on the map accompanying the order.

Or

*The order modifies the *(insert name of relevant order)* by *adding/removing the area of land described in the Schedule hereto and shown on the map accompanying the order.

3. A copy of the order and of the statement of the reasons for making it have been deposited at and will be available for inspection free of charge between the hours of

4. The order is about to be considered by the Secretary of State. Any objection to it must be made in writing, stating the grounds of objection, and sent to the *Department of the Environment/Welsh Office at before *(insert a date at least 28 days from the date of first publication of the local advertisement)*.

Signed

On behalf of

Date

*Delete whichever is inappropriate

SCHEDULE

(insert description of land)

Status: This is the original version (as it was originally made).

FORM 2

NOTICE OF APPROVAL OF AN AREA OF SPECIAL CONTROL ORDER

Town and Country Planning Act 1990

Town and Country Planning (Control of Advertisements) Regulations 1992

1. We, the (insert name of Council) give notice that the Secretary of State *for the Environment/for Wales has approved *with modifications the (insert name of order) for the purposes of Schedule 5 to the Town and Country Planning (Control of Advertisements) Regulations 1992.

2. The order *designates as an area of special control the land described in the Schedule hereto/modifies the (insert name of relevant order) by adding/removing the land described in the Schedule hereto.

3. The order comes into force on (insert date of publication in London Gazette).

4. A copy of the order as approved has been deposited at _____ and will be available for inspection free of charge between the hours of _____

IMPORTANT

Regulation 19 of the 1992 Regulations contains important provisions about-

- The advertisements permitted in an area of special control.
- The circumstances in which existing advertisements must be removed after this order comes into force.

Signed

On behalf of

Date

*Delete inappropriate words

SCHEDULE

(insert description of land)

Status: This is the original version (as it was originally made).

FORM 3

NOTICE OF REVOCATION OF AN AREA OF SPECIAL CONTROL ORDER

Town and Country Planning Act 1990

Town and Country Planning (Control of Advertisements) Regulations 1992

1. We, the *(insert name of Council)* give notice that we have submitted an order revoking the *(insert name of relevant order)* made under regulation 18 of the Town and Country Planning (Control of Advertisements) Regulations 1992 to the Secretary of State *for the Environment/for Wales for approval under Schedule 5 to the Regulations.

2. A copy of the revocation order and of the statement of the reasons for making it have been deposited at _____ and will be available for inspection free of charge between the hours of _____

3. The revocation order is about to be considered by the Secretary of State. Any objection to it must be made in writing, stating the grounds of objection, and sent to the *Department of the Environment/Welsh Office at _____ before *(insert a date at least 28 days after the first publication of the local advertisement)*.

Signed

On behalf of

Date

*Delete whichever is inappropriate

Status: This is the original version (as it was originally made).

FORM 4

NOTICE OF APPROVAL OF AN ORDER REVOKING AN AREA OF SPECIAL CONTROL ORDER

Town and Country Planning Act 1990

Town and Country Planning (Control of Advertisements) Regulations 1992

1. We, the (insert name of Council) give notice that the Secretary of State *for the Environment/for Wales has approved an order revoking the (insert name of order revoked) for the purposes of Schedule 5 to the Town and Country Planning (Control of Advertisements) Regulations 1992.

2. The revocation order comes into force on (insert date of publication in London Gazette).

3. A copy of the revocation order as approved has been deposited at and will be available for inspection free of charge between the hours of .

Signed

On behalf of

Date

*Delete whichever is inappropriate