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STATUTORY INSTRUMENTS

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**2012 No. 2372**

**The Town and Country Planning (Control of Advertisements) (England) (Amendment) Regulations 2012**

**Amendment of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007**

2.—(1) The Town and Country Planning (Control of Advertisements) (England) Regulations 2007(1) are amended as follows.

(2) In Schedule 1 (classes of advertisement to which Parts 2 and 3 do not apply) for Class H substitute—

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“CLASS H

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| <p>(a) Any country’s national flag, civil ensign or civil air ensign;</p> <p>(b) The flag of the Commonwealth, the European Union, the United Nations or any other international organisation of which the United Kingdom is a member;</p> <p>(c) A flag of any island, county, district, borough, burgh, parish, city, town or village within the United Kingdom;</p> <p>(d) The flag of the Black Country, East Anglia, Wessex, any Part of Lincolnshire, any Riding of Yorkshire or any historic county within the United Kingdom;</p> <p>(e) The flag of Saint David;</p> <p>(f) The flag of Saint Patrick;</p> <p>(g) The flag of any administrative area within any country outside the United Kingdom;</p> <p>(h) Any flag of Her Majesty’s forces;</p> <p>(i) The Armed Forces Day flag.</p> | <p>1. Neither the flag nor the flagstaff may display any advertisement or subject matter additional to the design of the flag other than a black mourning ribbon.</p> <p>2. In paragraphs (a) and (g) of this Class, “country” includes any of the Channel Islands, the Isle of Man and any British Overseas Territory.”</p> |
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(3) In Schedule 3 (classes of advertisement for which deemed consent is granted) in Class 7 (Flag advertisements)—

- (a) after paragraph 7A(1)(a) delete “or”;
- (b) in paragraph 7A(1)(b) for “that event.” substitute “that event;”;
- (c) after paragraph 7A(1)(b) insert—
- “(c) bearing the device of any sports club;
- (d) bearing six horizontal equal stripes of red, orange, yellow, green, blue, and violet;
- or

- (e) bearing the device of any one of the following award schemes—
  - (i) Eco-Schools;
  - (ii) the Queen’s Awards for Enterprise; or
  - (iii) Investors in People.”;
- (d) for paragraph 7A(2) substitute—
  - “(2) Within a conservation area, an Area of Outstanding Natural Beauty, a National Park or the Broads no character or symbol on the flag may be more than 0.75 metre in height, or 0.3 metre in an area of special control.
  - (3) No advertisement shall be displayed at the same time as an advertisement of the description set out in paragraph 7AA.
  - (4) No advertisement shall be displayed at the same time as two advertisements of the description set out in paragraph 7AB (but an advertisement may be displayed at the same time as one advertisement of the description set out in paragraph 7AB).
  - (5) Subject to (3) and (4), not more than one advertisement is permitted.”; and
- (e) after paragraph 7A insert—

“Description	<b>7AA.</b> An advertisement in the form of a flag attached to a single flagstaff projecting from any part of a building other than vertically from the roof.
Conditions and Limitations	<b>7AA.—</b> (1) No advertisement is permitted within a conservation area, an Area of Outstanding Natural Beauty, a National Park, the Broads or an area of special control. (2) No advertisement is permitted other than one— <ul style="list-style-type: none"><li>(a) bearing either the name or device, or both the name and device, of any person occupying the building;</li><li>(b) referring to a specific event (other than the offering of named goods for sale) of limited duration, which is taking place in the building, for the duration of that event;</li><li>(c) bearing the device of any sports club;</li><li>(d) bearing six horizontal equal stripes of red, orange, yellow, green, blue, and violet; or</li><li>(e) bearing the device of any one of the following award schemes—<ul style="list-style-type: none"><li>(i) Eco-Schools;</li><li>(ii) the Queen’s Awards for Enterprise; or</li><li>(iii) Investors in People.</li></ul></li></ul> (3) No advertisement shall be displayed at the same time as an advertisement of the description set out in paragraph 7A. (4) No advertisement shall be displayed at the same time as two advertisements of the description set out in paragraph 7AB (but an advertisement may be displayed at the same time as one advertisement of the description set out in paragraph 7AB). (5) Subject to (3) and (4), not more than one advertisement is permitted.

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(6) No flag shall exceed 2 square metres in area.

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Description	<b>7AB.</b> An advertisement in the form of a flag attached to a single flagstaff erected on a site within the curtilage of a building.
Conditions and Limitations	<b>7AB.</b> —(1) No advertisement is permitted within a conservation area, an Area of Outstanding Natural Beauty, a National Park, the Broads or an area of special control. (2) No advertisement is permitted other than one— (a) bearing either the name or device, or both the name and device, of any person occupying the building; (b) referring to a specific event (other than the offering of named goods for sale) of limited duration, which is taking place in the building, for the duration of that event; (c) bearing the device of any sports club; (d) bearing six horizontal equal stripes of red, orange, yellow, green, blue, and violet; or (e) bearing the device of any one of the following award schemes— (i) Eco-Schools; (ii) the Queen’s Awards for Enterprise; or (iii) Investors in People. (3) Not more than two advertisements may be displayed or not more than one at the same time as an advertisement of the description set out in paragraph 7A or paragraph 7AA. (4) No part of the flagstaff may be more than 4.6 metres above ground level.

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Description	<b>7AC.</b> An advertisement in the form of a flag attached to a single flagstaff erected on a site which forms part of a beach or marina.
Conditions and Limitations	<b>7AC.</b> No advertisement is permitted other than one bearing the device of the Blue Flag award scheme.

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Description	<b>7AD.</b> An advertisement in the form of a flag attached to a single flagstaff erected on a site which forms part of a park, garden or other green space.
Conditions and Limitations	<b>7AD.</b> No advertisement is permitted other than one bearing the device of the Green Flag Award scheme or the Green Flag Community Award scheme.”.