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STATUTORY INSTRUMENTS

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**2013 No. 2114**

**The Town and Country Planning (Appeals) (Written Representations Procedure and Advertisements) (England) (Amendment) Regulations 2013**

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

**3.—**(1) The Town and Country Planning (Control of Advertisements) (England) Regulations 2007<sup>(1)</sup> are amended in accordance with this Regulation.

(2) In paragraph 1 of Part 3 of Schedule 4—

(a) in sub-paragraph (c)—

(i) for the substituted subsection (3) substitute—

“(3) An applicant who wishes to appeal under subsection (1) or (2) shall give notice of appeal to the Secretary of State by—

(a) serving on the Secretary of State within—

(i) 8 weeks from the date of receipt of the local planning authority’s decision, or, as the case may be, within 8 weeks from the expiry of the period mentioned in subsection (2); or

(ii) such longer period as the Secretary of State may, at any time, allow, a completed appeal form, obtained from the Secretary of State; and

(b) serving on the local planning authority a copy of the completed appeal form mentioned in sub-paragraph (a) as soon as reasonably practicable.”; and

(ii) in the inserted subsection (3A) substitute “appeal form mentioned in subsection (3) (a)” for “notice mentioned in subsection (3)”;

(b) for sub-paragraph (d) substitute—

“(d) omit subsection (4);

(da) omit subsections (4A) to (4D); and”;

(c) in sub-paragraph (e) insert “79(3),” before “253(2)(c)”.

(3) In paragraph 2(b) of Part 3 of Schedule 4 substitute “subsections (2) to (4)” for “subsection (4)”.

(4) In the version of section 78 in Part 4 of Schedule 4—

(a) for subsection (3) substitute—

“(3) An applicant who wishes to appeal under subsection (1) or (2) shall give notice of appeal to the Secretary of State by—

(a) serving on the Secretary of State within—

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<sup>(1)</sup> [S.I. 2007/783](#) which has been amended in ways not relevant to these Regulations.

- (i) 8 weeks from the date of receipt of the local planning authority’s decision, or, as the case may be, within 8 weeks from the expiry of the period mentioned in subsection (2); or
    - (ii) such longer period as the Secretary of State may, at any time, allow, a completed appeal form, obtained from the Secretary of State; and
  - (b) serving on the local planning authority a copy of the completed appeal form mentioned in sub-paragraph (a) as soon as reasonably practicable.”;
  - (b) in subsection (3A) substitute “appeal form mentioned in subsection (3)(a)” for “notice mentioned in subsection (3)”;
  - (c) omit subsection (4); and
  - (d) in subsection (5) substitute “, 288(10)(b) and 319A(7)(b)” for “and 288(10)(b)”.
- (5) In the version of section 79 in Part 4 of Schedule 4 omit subsections (2) and (3).
- (6) In paragraph 1 of Part 5 of Schedule 4—
- (a) for the substituted subsection (2) substitute—
    - “(2) A person who wishes to appeal under subsection (1) shall give notice of appeal to the Secretary of State by—
    - (a) serving on the Secretary of State—
      - (i) before the date on which the discontinuance notice is due to take effect under regulation 8(4), taking into account where appropriate of any extension of time under regulation 8(6), of those Regulations; or
      - (ii) such longer period as the Secretary of State may allow, a completed appeal form, obtained from the Secretary of State; and
    - (b) serving on the local planning authority a copy of the completed appeal form mentioned in sub-paragraph (a) as soon as reasonably practicable.”;
  - (b) in the substituted subsection (3) substitute “The appeal form mentioned in subsection (2) (a)” for “A notice of appeal”; and
  - (c) omit the substituted subsection (4).
- (7) In paragraph 2 of Part 5 of Schedule 4 after sub-paragraph (a) insert—
- “(aa) omit subsections (2) and (3);”.