
WELSH STATUTORY INSTRUMENTS

2017 No. 553

The Town and Country Planning (Control of Advertisements) (Amendment) (Wales) Regulations 2017

Title, commencement, application and interpretation

1.—(1) The title of these Regulations is the Town and Country Planning (Control of Advertisements) (Amendment) (Wales) Regulations 2017 and they come into force on 5 May 2017.

(2) These Regulations apply in relation to Wales.

(3) In these Regulations, “the 1992 Regulations” (“*Rheoliadau 1992*”) means the Town and Country Planning (Control of Advertisements) Regulations 1992⁽¹⁾.

Amendment to the 1992 Regulations

2.—(1) The 1992 Regulations are amended as follows.

(2) In regulation 15 (appeals to the Secretary of State) omit paragraph (2).

(3) In Schedule 4, Part 3 is amended as follows—

(a) in paragraph 1(a) for “paragraphs (a), (b) and (c)” substitute “paragraphs (a), (aa), (b) and (c)”;

(b) in paragraph 1(c)—

(i) in the substituted subsection (3A) after “subsection (3) shall” insert “, in the case of an appeal against the refusal of express consent,”; and

(ii) after the substituted subsection (3A) insert—

“(3B) The notice mentioned in subsection (3) must, in the case of an appeal against the grant of express consent which is granted subject to conditions or an appeal under subsection (2), be accompanied by a copy of each of the documents mentioned in subsection (3A)(a) to (d) and a full statement of case.”;

(c) for paragraph 1(d) substitute—

“(d) for subsection (4) substitute the following subsections—

“(4) The appellant must, in the case of an appeal against the refusal of express consent, serve on the local planning authority, as soon as reasonably practicable, a copy of the notice mentioned in subsection (3).

(4ZA) The appellant must, in the case of an appeal against the grant of express consent which is granted subject to conditions or an appeal under subsection (2), serve on the local planning authority, as soon as reasonably practicable, a copy of—

(a) the notice mentioned in subsection (3); and

(b) the full statement of case.””

(1) [S.I.1992/666](#); see regulation 15 of [S.I. 2008/1848 \(W. 177\)](#) in relation to the application of [S.I. 1992/666](#) to the display on any site in a voting area of an advertisement relating specifically to a referendum. Other amendments are not relevant to these Regulations.

- (d) after paragraph 1(d) insert—
 - “(da) omit subsections (4A) to (4BB);”;
- (e) after paragraph 1(e) insert—
 - “(f) after subsection (5) insert—
 - “(6) In this section “full statement of case” means and is comprised of a written statement containing full particulars of the case the appellant proposes to put forward in relation to the appeal and copies of any supporting documents the appellant proposes to refer to or put in evidence.”.”;
- (f) for paragraph 2(b) substitute—
 - “(b) omit subsections (1A) to (4);”;
- (g) after paragraph 2(d) insert—
 - “(da) omit subsection (6ZA);”.
- (4) Omit Part 4 of Schedule 4.
- (5) In Schedule 4, Part 5 is amended as follows—
 - (a) in paragraph 1—
 - (i) at the end of the substituted subsection (2)(b) omit “and”;
 - (ii) after the substituted subsection (2)(c) insert—
 - “and
 - (d) a full statement of case.”;
 - (iii) for the substituted subsection (3) substitute—
 - “(3) The appellant must serve on the local planning authority, as soon as reasonably practicable, a copy of—
 - (a) the notice of appeal mentioned in subsection (2); and
 - (b) the full statement of case.”;
 - (iv) after the substituted subsection (3) insert—
 - “(4) In this section “full statement of case” means and is comprised of a written statement containing full particulars of the case the appellant proposes to put forward in relation to the appeal and copies of any supporting documents the appellant proposes to refer to or put in evidence.”;
 - (b) after paragraph 2(a) insert—
 - “(aa) omit subsections (1A) to (3A);”;
 - (c) for paragraph 2(c) substitute—
 - “(c) omit subsections (6) and (6ZA);”.

Transitional and saving provisions

3.—(1) Where an appeal is made in relation to an application for express consent which was made before these Regulations come into force the 1992 Regulations apply to that appeal as though the amendments made by regulation 2(3)(b), (c) and (e) had not been made.

(2) Where an appeal is made in relation to a discontinuance notice which was served by a local planning authority under regulation 8 of the 1992 Regulations before these Regulations come into force the 1992 Regulations apply to that appeal as though the amendments made by regulation 2(5)(a) had not been made.

5 April 2017

Jane Hutt
One of the Welsh Ministers