



Town and Country Planning Act 1971

1971 CHAPTER 78

PART IV

ADDITIONAL CONTROL IN SPECIAL CASES

Advertisements

63 Control of advertisements

- (1) Subject to the provisions of this section, provision shall be made by regulations under this Act for restricting or regulating the display of advertisements so far as appears to the Secretary of State to be expedient in the interests of amenity or public safety.
- (2) Without prejudice to the generality of subsection (1) of this section, any such regulations may provide—
 - (a) for regulating the dimensions, appearance and position of advertisements which may be displayed, the sites on which advertisements may be displayed, and the manner in which they are to be affixed to the land;
 - (b) for requiring the consent of the local planning authority to be obtained for the display of advertisements, or of advertisements of any class specified in the regulations ;
 - (c) for applying, in relation to any such consent and to applications for such consent, any of the provisions of this Act falling within section 60(2) thereof, subject to such adaptations and modifications as may be specified in the regulations;
 - (d) for the constitution, for the purposes of the regulations of such advisory committees as may be prescribed by the regulations, and for determining the manner in which the expenses of any such committee are to be defrayed.
- (3) Regulations made for the purposes of this section may make different provision with respect to different areas, and in particular may make special provision with respect to areas defined for the purposes of the regulations as areas of special control, being either rural areas or areas other than rural areas which appear to the Secretary of State to require special protection on grounds of amenity; and, without prejudice to the

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generality of the preceding provisions of this subsection, the regulations may prohibit the display in any such area of all advertisements except advertisements of such classes (if any) as may be specified in the regulations.

- (4) Areas of special control for the purposes of regulations under this section may be defined by means of orders made or approved by the Secretary of State in accordance with the provisions of the regulations.
- (5) Where the Secretary of State is authorised by the regulations to make or approve any such order as is mentioned in subsection (4) of this section, the regulations shall provide for the publication of notice of the proposed order in such manner as may be prescribed by the regulations, for the consideration of objections duly made thereto, and for the holding of such inquiries or other hearings as may be so prescribed, before the order is made or approved.
- (6) Regulations made under this section may be made so as to apply to advertisements which are being displayed on the date on which the regulations come into force, or to the use for the display of the advertisements of any site which was being used for that purpose on that date; but any regulations made in accordance with this subsection shall provide for exempting therefrom—
 - (a) the continued display of any such advertisement; and
 - (b) the continued use for the display of advertisements of any such site,during such period as may be prescribed in that behalf by the regulations, and different periods may be so prescribed for the purposes of different provisions of the regulations.
- (7) Without prejudice to the generality of the powers conferred by the preceding provisions of this section, regulations made for the purposes of this section may provide that any appeal from the decision of the local planning authority, on an application for their consent under the regulations, shall be to an independent tribunal constituted in accordance with the regulations, instead of being an appeal to the Secretary of State; and subsection (2) of section 50 of this Act shall apply to any tribunal so constituted as it applies to any tribunal constituted in accordance with subsection (1) of that section.