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STATUTORY INSTRUMENTS

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**1992 No. 1492**

**TOWN AND COUNTRY PLANNING,  
ENGLAND AND WALES**

**The Town and Country Planning General Regulations 1992**

<i>Made</i>	- - - -	<i>24th June 1992</i>
<i>Laid before Parliament</i>		<i>26th June 1992</i>
<i>Coming into force</i>	- -	<i>17th July 1992</i>

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 99(2), 107(1), 114(2), 115(2), 137(2), 144(2), 150(1), 151(1), 161(2), 162(1), 178(3), (5), 186(3), 209(3), 219(3), 250(3), 255, 316, 329(2), 333(1) and 336(1) of the Town and Country Planning Act 1990(1), and of all other powers enabling them in that behalf, hereby make the following Regulations:

**Citation, commencement and interpretation**

1.—(1) These Regulations may be cited as the Town and Country Planning General Regulations 1992 and shall come into force on 17th July 1992.

(2) In these Regulations—

“the 1990 Act” means the Town and Country Planning Act 1990; and

“planning permission”, except in regulations 7 to 9, includes any consent of a local planning authority required under a development order.

*Land of interested planning authorities and development by them*

**Application of provisions of the 1990 Act**

2.—(1) Subject to paragraph (2), in relation to—

(a) land of an interested planning authority other than—

(i) land any part of which is within a National Park and which is land of a planning authority which is a non-metropolitan district council, and

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(1) 1990 c. 8; section 114 was repealed in relation to applications for planning permission made on or after 16th November 1991 by section 31(2) and (7) of the Planning and Compensation Act 1991 (c. 34); sections 150(1), 161(2) and 162(1) were amended by paragraph 13 of Schedule 15 to the 1991 Act (c.34); section 316 was substituted by section 20 of that Act; in section 336(1) see the definition of “prescribed”.

- (ii) land in respect of which an urban development corporation is a local planning authority and which is vested in another local planning authority, and
- (b) development of any land by an interested planning authority or such authority jointly with any person other than development (whether or not jointly with any person)—
  - (i) by an interested planning authority which is a non-metropolitan district council of land any part of which is in a National Park, and
  - (ii) another local planning authority of land in respect of which an urban development corporation is a local planning authority,the provisions of Parts III VII and VIII of the 1990 Act, other than sections 76, 90(2), (5) and 223, shall apply subject to regulations 3 to 11 below.
- (2) In the case of land falling within paragraph (1)(a)(i) the provisions of Part VIII of the 1990 Act apply subject to regulation 11.

### **Applications for planning permission**

3. Subject to regulation 4, an application for planning permission by an interested planning authority to develop any land of that authority, or for development of any land by an interested planning authority or by an interested planning authority jointly with any other person, shall be determined by the authority concerned, unless the application is referred to the Secretary of State under section 77 of the 1990 Act for determination by him.

4.—(1) Regulation 3 does not apply in the case of an application for planning permission to develop land of an interested planning authority where—

- (a) the authority do not intend to develop the land themselves or jointly with any person, and
- (b) if it were not such land the application would fall to be determined by another body.

(2) In the case of an application to which paragraph (1) applies the application shall be determined by that other body unless the application is referred to the Secretary of State under section 77 of the 1990 Act for determination by him.

### **Modifications and exceptions to Part III of the 1990 Act**

5.—(1) In the case of applications for planning permission for development to which regulation 3 applies—

- (a) sections 70A, 78 and 79 shall not apply;
- (b) sections 94 and 95 shall not apply except to the extent that they apply to a completion notice served under section 96 by the Secretary of State; and
- (c) the provisions of Part III of the 1990 Act listed in the first column of Schedule 1 to these Regulations shall have effect subject to the modifications in the second column of that Schedule.

(2) If an application for planning permission for development to which regulation 3 applies is referred to the Secretary of State under section 77 of the 1990 Act for determination by him that section shall have effect subject to the modification that, in subsection (5), for the words “if either the applicant or the local planning authority wish, give each of them an opportunity” substitute the words “if the interested planning authority wish, give them the opportunity”.

6. In Part III of the 1990 Act any reference to “local planning authority”, in relation to development to which regulation 3 applies, is a reference to the interested planning authority concerned, and references to “the authority” (except in section 71(3)) shall be construed accordingly.

## **Publicity**

7.—(1) Any provision made by virtue of section 65 or 71 of the 1990 Act<sup>(2)</sup> by a development order shall apply to applications for planning permission for development to which regulation 3 applies subject to the modifications prescribed in paragraph (2).

(2) Any reference in such a development order to “local planning authority” is a reference to the interested planning authority concerned, and references to “the authority” shall be construed accordingly.

## **Consultation**

8. An urban development corporation in Greater London shall, before determining an application for planning permission falling within regulation 3, consult the council of the London borough for the area in which the land which is the subject of the application, or any part of it, is situated.

## **Effect of planning permission**

9. Any grant of planning permission by an interested planning authority for development falling within regulation 3 shall enure only for the benefit of the applicant interested planning authority, except in the case of development of any land by an interested planning authority jointly with any other person where that person is specified in the application for planning permission as a joint developer, in which case the permission shall enure for the benefit of the applicant interested planning authority and that other person.

## **Arrangements for discharge of functions**

10. Notwithstanding anything in section 101 of the Local Government Act 1972<sup>(3)</sup> (arrangements for the discharge of functions by local authorities) no application for planning permission for development to which regulation 3 applies may be determined—

- (a) by a committee or sub-committee of the interested planning authority concerned if that committee or sub-committee is responsible (wholly or partly) for the management of any land or buildings to which the application relates; or
- (b) by an officer of the interested planning authority concerned if his responsibilities include any aspect of the management of any land or buildings to which the application relates.

## **Other consents**

11. Where an interested planning authority are seeking a consent of a local planning authority under Part III, VII or VIII of the 1990 Act other than planning permission to develop land or a consent under section 90(2) and that authority are themselves the local planning authority by whom such consent would be given, they shall make an application for such consent to the Secretary of State.

## *General*

## **Claims for compensation and purchase notices**

12.—(1) A claim for compensation made to a local planning authority under section 107 (including section 107 as applied by section 108), 114, 115, 144, 186 or 250 of the 1990 Act, or a purchase notice served on the council of a district or London borough under section 137 of that Act,

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(2) Section 65 is substituted by section 16(1) of the Planning and Compensation Act 1991 (c. 34); section 71 is amended by section 16(2) of that Act.

(3) 1972 c. 70.

shall be in writing and shall be served on that authority or council by delivering it at the offices of the authority or council, or by sending it by pre-paid post.

(2) The time within which any such claim or notice as is mentioned in paragraph (1) is served shall be 12 months from the date of the decision in respect of which the claim or notice is made or given, or such longer period as the Secretary of State may at any time in any particular case allow.

### **Marking of certain notices and documents**

**13.** The manner in which any notice or document referred to in subsection (2) of section 329 of the 1990 Act shall be marked in order that it shall be taken to be duly served under paragraph (b) of that subsection shall be by inscribing clearly and legibly upon the notice or document, and upon the envelope containing it, the words “Important — This Communication affects your Property”.

### **Application of the Public Health Act 1936 to certain notices**

**14.—**(1) The provisions of sections 276, 289 and 294 of the Public Health Act 1936(4) (“the 1936 Act”) shall apply in relation to steps required to be taken by an enforcement notice, to requirements of a notice under section 207(1) of the 1990 Act, and to steps required to be taken by a notice under section 215 of that Act, as if—

- (a) references to a local authority were references to a local planning authority;
- (b) references (in whatever form) to the execution of works under the 1936 Act were references—
  - (i) in the case of an enforcement notice or a notice under section 215 of the 1990 Act, to the taking of steps required to be taken by the notice; and
  - (ii) in the case of a notice under section 207(1) of the 1990 Act, to the planting of trees of specified sizes and species;
- (c) references in section 289 of the 1936 Act to the occupier were references to a person having an interest in the premises other than the owner; and
- (d) the reference in section 294 of the 1936 Act to “expenses under this Act” were a reference to expenses incurred in the taking of steps or the planting of trees, as the case may be.

(2) The expenses recoverable by a local planning authority under section 178(1) of the 1990 Act are, until recovered, a charge that is binding on successive owners of the land to which the enforcement notice relates and the charge shall take effect as from the date of the completion by the local planning authority of the steps required to be taken by the enforcement notice.

### **Concurrent procedure for acquisition of land and extinguishment of rights of way**

**15.—**(1) Where—

- (a) under section 226 of the 1990 Act a compulsory purchase order for the acquisition of any land has been made by a local authority to whom that section applies and submitted to the Secretary of State in accordance with the provisions of the Acquisition of Land Act 1981(5), or
- (b) any land has been acquired by a local authority under section 227 of the 1990 Act,

the following provisions of this regulation shall have effect to secure that proceedings required to be taken for the purposes of orders under section 251 of the 1990 Act may be taken concurrently with any proceedings required to be taken for the purposes of the acquisition of the land over which

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(4) 1936 c. 49.

(5) 1981 c. 67.

the right of way is to be extinguished or for the purposes of the acquisition of any other land for the purpose of providing an alternative right of way.

(2) The Secretary of State may on or after such submission or acquisition as is mentioned in paragraph (1) publish in accordance with the provisions of section 252(1) of the 1990 Act notice of an order he proposes to make under section 251 of that Act relating to the extinguishment of any such right of way.

(3) On or after the publication of any such notice, the Secretary of State may prepare in draft, or a local highway authority may make, a compulsory purchase order under section 254(1)(b) of the 1990 Act for the acquisition of land for providing an alternative right of way.

(4) Subject to paragraph (5) any other proceedings required to be taken in connection with the making of an order under section 251 of the 1990 Act may be taken concurrently with the proceedings required to be taken in connection with such an order as is mentioned in paragraph (1)(a) and any other proceedings for the making or confirmation of such a compulsory purchase order as is referred to in paragraph (3) may be taken concurrently with either or both of the said proceedings.

(5) Until the land over which the right of way subsists has been acquired by the local authority—

(i) no order under section 251 of the 1990 Act shall be made, and

(ii) no such compulsory purchase order as is referred to in paragraph (3) shall be made by the Secretary of State or confirmed.

#### **Notices and counter-notices relating to planning blight**

**16.** The forms set out in Schedule 2 to these Regulations or forms substantially to the like effect are the prescribed forms for blight notices and counter-notices for the purposes of sections 150(1), 151(1), 161(2) and 162(1) of the 1990 Act.

#### **Advertisement and notice of unopposed order revoking or modifying planning permission**

**17.—(1)** A local planning authority shall advertise the fact that an order has been made to which section 99(2) of the 1990 Act applies by publishing an advertisement in the form set out in Part 1 of Schedule 3 to these Regulations or a form substantially to the like effect in a newspaper circulating in the locality.

(2) The notice a local planning authority is required to serve under section 99(3) of the 1990 Act shall be in the form contained in Part 2 of Schedule 3 to these Regulations or a form substantially to the like effect.

#### **Revocations**

**18.** The regulations listed in the first column of Schedule 4 to these Regulations are hereby revoked to the extent specified in the third column of that Schedule.

22nd June 1992

*Michael Howard*  
Secretary of State for the Environment

24th June 1992

*David Hunt*  
Secretary of State for Wales

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

SCHEDULE 1

Regulation 5

<i>Provision of the 1990 Act</i>	<i>Modification</i>
Section 62	In paragraph (b) omit the words “or by directions given by the local planning authority under them”.
Section 93	In subsection (2) omit paragraph (b) and the word “or” immediately preceding it. Omit subsection (3).
Section 95	In subsection (3) for the words “him and the local planning authority” substitute the words “that person”.
Section 96	Omit subsection (3).
Section 98	In subsection (4) for the words “both to him and the local planning authority” substitute the words “to that person”.
Section 100	Omit subsections (3) to (6).
Section 103	In subsection (5) for the words “both to him and the local planning authority” substitute the words “to that person”.
Section 104	Omit subsections (3) to (7).
Schedule 5	Omit paragraph 1(6)(b).

SCHEDULE 2

Regulation 16

TOWN AND COUNTRY PLANNING ACT 1990

*Blight Notice*

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

To .....<sup>1</sup>

At .....<sup>2</sup>

I/We ..... of .....<sup>3</sup>

HEREBY GIVE YOU NOTICE under section 150(1) [and by virtue of section 158]<sup>4</sup> of the Town and Country Planning Act 1990 (“the Act”) as follows:–

1. I am/We are entitled to the interest described in Schedule 1<sup>5</sup> to this Notice in the property described in Schedule 2<sup>6</sup> to this Notice.
2. The whole/Part of<sup>7</sup> that property is blighted land within paragraph(s) .....<sup>8</sup> of Schedule 13 to the Act.
3. My/Our interest in that property qualifies for protection under Chapter II in Part VI of the Act because

*[EITHER]*

the property is [part of]<sup>9</sup> a hereditament whose annual value does not exceed the amount prescribed for the purposes of section 149(3)(a) of the Act and I am an owner-occupier/we are owner-occupiers of that hereditament.

*[OR]*

the property is [part of]<sup>9</sup> a hereditament and I am a resident owner-occupier/we are resident owner-occupiers of that hereditament.

*[OR]*

the property is [part of]<sup>9</sup> an agricultural unit and I am an owner-occupier/we are owner-occupiers of that unit.

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4. (1) [EITHER] I/We have made reasonable endeavours to sell my/our interest in that property, and details of those attempts are set out in [Schedule 3 to/the letter accompanying]<sup>10</sup> this Notice. [OR] The powers of compulsory acquisition relevant for the purposes of paragraph 21/22 of Schedule 13 to the Act remain exercisable<sup>11</sup>.

(2) In consequence of the fact that [part of]<sup>12</sup> the hereditament/agricultural unit was, or was likely to be, comprised in blighted land, I/we have been unable to sell my/our interest except at a price substantially lower than that for which it might reasonably have been expected to sell if no part of the hereditament/unit were, or were likely to be, comprised in blighted land.

5<sup>13</sup>. The [part of the]<sup>9</sup> agricultural unit in which my/our interest subsists contains land which is not blighted land as well as land which is, and the land which is not blighted land is not reasonably capable of being farmed, either by itself or with other relevant land, as a separate agricultural unit.

6. I/We therefore require you to purchase my/our interest in

[EITHER]

the property described in Schedule 2 to this Notice<sup>14</sup>.

[OR]

so much of the property described in Schedule 2 to this Notice as is blighted land<sup>15</sup>.

SCHEDULE 1

*The Interest to which this Blight Notice Relates*

SCHEDULE 2

*The Property to which this Blight Notice Relates*

SCHEDULE 3

*Details of Attempts to Sell the Interest to which the Blight Notice Relates*

Dated .....

Signed .....

.....

[Solicitor/Surveyor/Land Agent, of .....

on behalf of .....]<sup>16</sup>

NOTES

1. Insert name of the appropriate authority.
2. Insert address of the appropriate authority.
3. Give full name(s) and address(es) of claimant(s).
4. Delete unless this notice relates to an agricultural unit and a claim and requirement under section 158(2) of the Act are to be included.
5. Schedule 1 should contain a description of the interest of the claimant, a list of any mortgages to which that interest is subject with the names and addresses of the mortgagees, and a list of any other incumbrances affecting the interest.
6. The boundaries of the property should normally be clearly marked on a plan annexed to the Blight Notice.
7. Use "Part" instead of "The whole" if only some of the land is blighted land.
8. Insert relevant paragraph number(s).
9. Delete unless the interest is in only part of the hereditament or unit.
10. Delete as appropriate.
11. The second alternative may be used only if paragraph 2 of this notice refers to paragraph 21 or 22 of Schedule 13 to the Act.
12. Delete unless only part of the property is blighted land.



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13. Use this paragraph (and the reference to section 158 at the top of the notice – see Note 4 above) only to make a claim under section 158(2).
14. Use if the property is a hereditament, or is an agricultural unit and paragraph 5 has been included.
15. Use if the property is an agricultural unit but paragraph 5 has been deleted.
16. If this notice is signed by an agent, insert here full name and address of agent or firm, and name(s) of claimant(s).

## TOWN AND COUNTRY PLANNING ACT 1990

### *Personal Representative's Blight Notice*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

To .....<sup>1</sup>

At .....<sup>2</sup>

I/We ..... of .....<sup>3</sup>  
HEREBY GIVE YOU NOTICE under section 161 (2) [and by virtue of section 158]<sup>4</sup> of the Town and Country Planning Act 1990 (“the Act”) as follows:–

1. I am/We are the personal representative(s) of a person (“the deceased”) who at the time of his/her death was entitled to the interest described in Schedule 1<sup>5</sup> to this Notice in the property described in Schedule 2<sup>6</sup> to this Notice.
2. One or more individuals are, to the exclusion of any body corporate, beneficially entitled to the deceased’s interest in that property.
3. The whole/Part of<sup>7</sup> that property was blighted land within paragraph(s) .....<sup>8</sup> of Schedule 13 to the Act on the date of death of the deceased.
4. The deceased’s interest in that property qualifies for protection under Chapter II in Part VI of the Act because on the date of death of the deceased

*[EITHER]*

the property was [part of]<sup>9</sup> a hereditament whose annual value did not exceed the amount prescribed for the purposes of section 149(3)(a) of the Act and he/she was an owner-occupier of that hereditament.

*[OR]*

the property was [part of]<sup>9</sup> a hereditament and he/she was a resident owner-occupier of that hereditament.

*[OR]*

the property was [part of]<sup>9</sup> an agricultural unit and he/she was an owner-occupier of that unit.

5. (1) *[EITHER]* I/We have made reasonable endeavours to sell his/her interest in that property, and details of those attempts are set out in [Schedule 3 to/the letter accompanying]<sup>10</sup> this Notice. *[OR]* The powers of compulsory acquisition relevant for the purposes of paragraph 21/22 of Schedule 13 to the Act remain exercisable<sup>11</sup>.

(2) In consequence of the fact that [part of]<sup>12</sup> the hereditament/agricultural unit was, or was likely to be, comprised in blighted land, I/we have been unable to sell the deceased’s interest except at a price substantially lower than that for which it might reasonably have been expected to sell if no part of the hereditament/unit were, or were likely to be, comprised in blighted land.

6<sup>13</sup>. The [part of the]<sup>9</sup> agricultural unit in which the deceased’s interest subsists contains land which is not blighted land as well as land which is, and the land which is not blighted land is not reasonably capable of being farmed, either by itself or with other relevant land, as a separate agricultural unit.

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7. I/We therefore require you to purchase the deceased's interest in  
[EITHER]  
the property described in Schedule 2 to this Notice<sup>14</sup>.  
[OR]  
so much of the property described in Schedule 2 to this Notice as is blighted land<sup>15</sup>.

SCHEDULE 1

*The Interest to which this Blight Notice Relates*

SCHEDULE 2

*The Property to which this Blight Notice Relates*

SCHEDULE 3

*Details of Attempts to Sell the Interest to which the Blight Notice Relates*

Dated .....

Signed .....

.....

[Solicitor/Surveyor/Land Agent, of .....

on behalf of .....]<sup>16</sup>

NOTES

1. Insert name of the appropriate authority.
2. Insert address of the appropriate authority.
3. Give full name(s) and address(es) of claimant(s).
4. Delete unless this notice relates to an agricultural unit and a claim and requirement under section 158(2) of the Act are to be included.
5. Schedule 1 should contain a description of the interest of the deceased, a list of any mortgages to which that interest is subject with the names and addresses of the mortgagees, and a list of any other incumbrances affecting the interest.
6. The boundaries of the property should normally be clearly marked on a plan annexed to the Blight Notice.
7. Use "Part" instead of "The whole" if only some of the land was blighted land.
8. Insert relevant paragraph number(s).
9. Delete unless the interest is in only part of the hereditament or unit.
10. Delete as appropriate.
11. The second alternative may be used only if paragraph 3 of this notice refers to paragraph 21 or 22 of Schedule 13 to the Act.
12. Delete unless only part of the property was blighted land.
13. Use this paragraph (and the reference to section 158 at the top of the notice – see Note 4 above) only to make a claim under section 158(2).
14. Use if the property is a hereditament, or is an agricultural unit and paragraph 6 has been included.
15. Use if the property is an agricultural unit but paragraph 5 has been deleted.
16. If this notice is signed by an agent, insert here full name and address of agent or firm, and name(s) of claimant(s).

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## TOWN AND COUNTRY PLANNING ACT 1990

### *Mortgagee's Blight Notice*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

To .....<sup>1</sup>

At .....<sup>2</sup>

I/We ..... of .....<sup>3</sup>

HEREBY GIVE YOU NOTICE under section 162(1) [and by virtue of section 158]<sup>4</sup> of the Town and Country Planning Act 1990 (“the Act”) as follows:-

1. I am/We are entitled as mortgagee(s) by virtue of a power which has become exercisable, to sell the interest described in Schedule 1<sup>5</sup> to this Notice in the property described in Schedule 2<sup>6</sup> to this Notice, giving immediate vacant possession of the land.
2. The whole/Part of<sup>7</sup> that property is blighted land within paragraph(s) .....<sup>8</sup> of Schedule 13 to the Act.
3. The said interest in that property qualifies for protection under Chapter II in Part VI of the Act because

*[EITHER]*

that property is [part of]<sup>9</sup> a hereditament whose annual value does not exceed the amount prescribed for the purposes of section 149(3)(a) of the Act and the person entitled (otherwise than as mortgagee) to the interest [is an owner-occupier of that hereditament] [was an owner-occupier of that hereditament on ....., and [part of]<sup>7</sup> that property was blighted land on that date]<sup>10</sup>.

*[OR]*

that property is [part of]<sup>9</sup> a hereditament and the person entitled (otherwise than as mortgagee) to the interest [is a resident owner-occupier of that hereditament] [was a resident owner-occupier of that hereditament on ....., and [part of]<sup>7</sup> that property was blighted land on that date]<sup>10</sup>.

*[OR]*

that property is [part of]<sup>9</sup> an agricultural unit and the person entitled (otherwise than as mortgagee) to the interest [is an owner-occupier of that agricultural unit] [was an owner-occupier of that unit on....., and [part of]<sup>7</sup> that property was blighted land on that date]<sup>10</sup>.

4. (1) *[EITHER]* I/We have made reasonable endeavours to sell the said interest in that property, and details of those attempts are set out in [Schedule 3 to/the letter accompanying]<sup>11</sup> this Notice. *[OR]* The powers of compulsory acquisition relevant for the purposes of paragraph 21/22 of Schedule 13 to the Act remain exercisable<sup>12</sup>.

(2) In consequence of the fact that [part of]<sup>13</sup> the hereditament/agricultural unit was, or was likely to be, comprised in blighted land, I/we have been unable to sell the interest except at a price substantially lower than that for which it might reasonably have been expected to sell if no part of the hereditament/unit were, or were likely to be, comprised in blighted land.

5<sup>14</sup>. The [part of the]<sup>9</sup> agricultural unit in which the interest subsists contains land which is not blighted land as well as land which is, and the land which is not blighted land is not reasonably capable of being farmed, either by itself or with other relevant land, as a separate agricultural unit.

*[EITHER]*

6. I/We therefore require you to purchase the said interest<sup>15</sup>.

*[OR]*

7. I/We therefore require you to purchase the said interest so far as it subsists in property which is described in Schedule 2 to this Notice and which is blighted land<sup>16</sup>.

SCHEDULE 1

*The Interest to which this Blight Notice Relates*

SCHEDULE 2

*The Property to which this Blight Notice Relates*

*Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.*

**SCHEDULE 3**

*Details of Attempts to Sell the Interest to which the Blight Notice Relates*

Dated .....

Signed .....

.....

[Solicitor/Surveyor/Land Agent, of .....

on behalf of .....]<sup>17</sup>

**NOTES**

1. Insert name of the appropriate authority.
2. Insert address of the appropriate authority.
3. Give full name(s) and address(es) of claimant(s).
4. Delete unless this notice relates to an agricultural unit and a claim and requirement under section 158(2) of the Act are to be included.
5. Schedule 1 should contain a description of the interest which the claimant has power to sell, and a list of any other incumbrances to which (to the knowledge or belief of the claimant) that interest is subject, with the names and addresses of the mortgagees.
6. The boundaries of the property should normally be clearly marked on a plan annexed to the Blight Notice.
7. Use "Part" instead of "The whole" if only some of the land was blighted land.
8. Insert relevant paragraph number(s).
9. Delete unless the interest is in only part of the hereditament or unit.
10. The second alternative may only be used if the claimant was the relevant owner-occupier on the date inserted, being a date not more than six months before the service of this notice.
11. Delete as appropriate.
12. The second alternative may be used only if paragraph 2 of this notice refers to paragraph 21 or 22 of Schedule 13 to the Act.
13. Delete unless only part of the property was blighted land.
14. Use this paragraph (and the reference to section 158 at the top of the notice – see Note 4 above) only to make a claim under section 158(2).
15. Use if the property is a hereditament, or is an agricultural unit and paragraph 5 has been included.
16. Use if the property is an agricultural unit but paragraph 5 has been deleted.
17. If this notice is signed by an agent, insert here full name and address of agent or firm, and name(s) of claimant(s).

**TOWN AND COUNTRY PLANNING ACT 1990**

*Counter-Notice objecting to Blight Notice*

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

To .....<sup>1</sup>

of .....<sup>2</sup>

THE [ ..... ]<sup>3</sup> HEREBY GIVE[S] YOU NOTICE under section 151(1) of the Town and Country Planning Act 1990 that they/he OBJECT(S) to the Blight Notice served by you/by [ ..... ]<sup>4</sup> on your behalf on [ ..... ]<sup>5</sup> under section 150(1)/161(2)/162(1) [and by virtue of section 158] of that Act in respect of the property described in [the Blight Notice/as appropriate] as [ ..... ]<sup>6</sup>.

[EITHER]

The ground on which objection is taken is, under section 151(4)( ..... )<sup>7</sup>/159(1)<sup>8</sup>/161(5)<sup>9</sup>/162(5)<sup>10</sup> of the said Act, that [ ..... ]<sup>11</sup>.

[OR]

The grounds on which objection is taken are—

- (1) under section 151(4)( ..... )<sup>12</sup> of the said Act, that [ ..... ]<sup>11</sup>
- (2) under section 159(1)<sup>8</sup> of the said Act, that [ ..... ]<sup>11</sup>
- (3) under section 161(5)( ..... )<sup>13</sup>/162(5)( ..... )<sup>14</sup> of the said Act, that [ ..... ]<sup>11</sup>.

Dated .....

.....  
[NAME]  
On behalf of<sup>5</sup> .....

**NOTE TO CLAIMANT:** If you do not accept this objection, you may require the objection to be referred to the Lands Tribunal, under the provisions of section 153 of the Town and Country Planning Act 1990. In that case you should notify the Registrar, The Lands Tribunal, 48/49 Chancery Lane, London WC2A 1JR within 2 months of the date of service of this notice.

NOTES

- 1. Insert name(s) of claimant(s) as on Blight Notice.
- 2. Insert address(es) of claimant(s) as on Blight Notice.
- 3. Insert name of authority serving counter-notice.
- 4. Insert name of claimant’s agent, if Blight Notice was served by an agent.
- 5. Insert date when Blight Notice was received by authority.
- 6. Insert description of property as in Blight Notice, or (where appropriate) in document referred to in Blight Notice.
- 7. Insert letter of relevant paragraph of section 151(4).
- 8. Only applicable if Blight Notice was served by virtue of section 158.
- 9. Only applicable if Blight Notice was served under section 161(2).
- 10. Only applicable if Blight Notice was served under section 162(1).
- 11. Complete as appropriate.
- 12. Insert letter of relevant paragraph of section 151(4); use a separate numbered paragraph in this form for each ground of objection under section 151(4).

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- 13. Only applicable if Blight Notice was served under section 161(2); insert letter of relevant paragraph of section 161(5) and use a separate paragraph in this form for each ground of objection under section 161(5).
- 14. Only applicable if Blight Notice was served under section 162(1); insert letter of relevant paragraph of section 162(5) and use a separate paragraph in this form for each ground of objection under section 162(5).

SCHEDULE 3

Regulation 17

PART 1

TOWN AND COUNTRY PLANNING ACT 1990

*Advertisement under section 99(2) of the making of a revocation order or modification order*

Planning permission for (a)  
 at (b)  
 NOTICE IS HEREBY GIVEN THAT THE (c) Council have made an order under  
 section 97 of the Town and Country Planning Act 1990 to [revoke the above planning permission]  
 [to the following extent (d)] [modify the above planning permission as  
 follows (e)]\*.

The Council have been notified in writing by the owner and the occupier of the land [and by all other persons who in the Council's opinion will be affected by the order]\* that they do not object to the order.

Any person who will be affected by the order and who wishes for an opportunity of appearing before, and being heard by, a person appointed by the [Secretary of State for the Environment] [Secretary of State for Wales]\* must give notice in writing to that effect to the [Regional Controller (Planning) at the appropriate Regional Office of the Department of the Environment] [Secretary, Legal Group, Welsh Office, Cathays Park, Cardiff CF1 3NQ]\* not later than 19 *(f)*.

If no such notice has been given by that date, the order will take effect, by virtue of the provisions of section 99(7) of the Town and Country Planning Act 1990, on 19 *(g)* without being confirmed by the Secretary of State.

\*Delete where inappropriate.

PART 2

TOWN AND COUNTRY PLANNING ACT 1990

*Notice under section 99(3) of the making of a revocation order or modification order*



**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Planning permission for (a)  
 at (b)  
 TAKE NOTICE THAT THE (c) Council have made an order under section 97 of the  
 Town and Country Planning Act 1990 to [revoke the above planning permission] [to the following  
 extent (d)] [modify the above planning permission as follows (e)]\*.

The Council have been notified in writing by the owner and the occupier of the land [and by all  
 other persons who in the Council's opinion will be affected by the order]\* that they do not object  
 to the order.

If you will be affected by the order and wish for an opportunity of appearing before, and being  
 heard by, a person appointed by the [Secretary of State for the Environment] [Secretary of State  
 for Wales]\* you should give notice in writing to that effect to the [Regional Controller (Planning)  
 at the appropriate Regional Office of the Department of the Environment] {Secretary, Legal  
 Group, Welsh Office, Cathays Park, Cardiff CF1 3NQ}\* not later than 19 (f).

If no such notice has been given by that date, the order will take effect, by virtue of the provisions  
 of section 99(7) of the Town and Country Planning Act 1990, on 19 (g) without being  
 confirmed by the Secretary of State.

\* Delete where inappropriate.

*Notes to Parts 1 and 2*

- (a) Insert description of the development for which permission has been granted.
- (b) Insert site or locality of development.
- (c) Insert name of council.
- (d) Insert particulars of extent of revocation.
- (e) Insert particulars of modification.
- (f) Insert a date not less than 28 days later than the date on which the relevant advertisement  
 first appears.
- (g) Insert a date not less than 14 days later than the date to which note (f) relates.

SCHEDULE 4

Regulation 18

<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
The Town and Country Planning General Regulations 1976.	S.I.1976/1419.	The whole Regulations.
The Town and Country Planning General (Amendment) Regulations 1981.	S.I. 1981/558.	The whole Regulations.
The Town and Country Planning (Local Government Reorganisation)	S.I. 1986/443.	Paragraphs 1 to 4 of Schedule 1.

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<i>Regulations revoked</i>	<i>References</i>	<i>Extent of revocation</i>
(Miscellaneous Amendments) Regulations 1986.		
The Town and Country Planning (Enforcement Notices and Appeals) Regulations 1991.	S.I. <a href="#">1991/2804</a> .	Regulation 10(1).

## EXPLANATORY NOTE

*(This note is not part of the Regulations)*

These Regulations supersede the Town and Country Planning General Regulations 1976.

Regulations 2 to 11 apply Parts III, VII and VIII of the Town and Country Planning Act 1990 with modifications to—

- (a) land in which a local planning authority has any interest and in relation to which the authority exercises any of the functions of a local planning authority, and
- (b) the development of any land by a local planning authority exercising any of the functions of a local planning authority in relation to that land, whether the development is by the authority alone, or jointly with any other person,

except in the situations mentioned in regulation 2(a)(i) and (ii) and (b)(i) and (ii) (regulation 2).

Regulation 12 prescribes the period during which, and the manner in which, claims for compensation under certain sections of the Town and Country Planning Act 1990 may be made.

Regulation 13 provides for the manner in which a notice or document referred to in section 329(2) of the Town and Country Planning Act 1990 should be marked in order that it may be taken to be duly served.

Regulation 14 applies (with modifications) certain provisions of the Public Health Act 1936 to enforcement notices and notices under section 207(1) or 215 of the 1990 Act, and provides that expenses recoverable by a local planning authority under section 178(1) of that Act are a charge on the land until recovered.

Regulation 15 makes provision in relation to the taking of proceedings for the purposes of section 251 of the Town and Country Planning Act 1990 (extinguishment of public rights of way over land held for planning purposes) concurrently with proceedings for the acquisition of land over which the right of way is to be extinguished, or the acquisition of any other land to provide an alternative right of way.

Regulation 16 and Schedule 2 set out the prescribed forms for blight notices and counter-notices under Chapter II of Part VI of the 1990 Act.

Regulation 17 and Schedule 3 set out the prescribed forms for notices and advertisements in relation to unopposed orders revoking or modifying a permission to develop land.