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STATUTORY INSTRUMENTS

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**2002 No. 2682**

The Town and Country Planning (Enforcement Notices and Appeals) (England) Regulations 2002

PART 2

ENFORCEMENT NOTICES UNDER SECTION 172

**Additional matters to be specified in enforcement notice**

4. An enforcement notice issued under section 172 of the Planning Act shall specify—
- (a) the reasons why the local planning authority consider it expedient to issue the notice;
  - (b) all policies and proposals in the development plan which are relevant to the decision to issue an enforcement notice; and
  - (c) the precise boundaries of the land to which the notice relates, whether by reference to a plan or otherwise.

**Explanatory note to accompany copy of enforcement notice**

5. Every copy of an enforcement notice served by a local planning authority under section 172(2) of the Planning Act shall be accompanied by an explanatory note which shall include the following—
- (a) a copy of sections 171A, 171B and 172 to 177 of the Planning Act, or a summary of those sections including the following information—
    - (i) that there is a right of appeal to the Secretary of State against the enforcement notice;
    - (ii) that an appeal must be made by giving written notice of the appeal to the Secretary of State before the date specified in the enforcement notice as the date on which it is to take effect or by sending such notice to him in a properly addressed, pre-paid letter posted to him at such time that, in the ordinary course of post, it would be delivered to him before that date;
    - (iii) the grounds on which an appeal may be brought under section 174 of the Planning Act;
    - (iv) the fee payable under regulation 10 of the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989<sup>(1)</sup> for the deemed application for planning permission for the development alleged to be in breach of planning control in the enforcement notice;
  - (b) notification that an appellant must submit to the Secretary of State, either when giving notice of appeal or within 14 days from the date on which the Secretary of State sends him a notice so requiring him, a statement in writing specifying the grounds on which he is appealing against the enforcement notice and stating briefly the facts on which he proposes to rely in support of each of those grounds.

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<sup>(1)</sup> S.I. 1989/193, as amended by S.I. 1991/2735 and to which there are other amendments not relevant to these Regulations.

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

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- (c) a list of the names and addresses of the persons on whom a copy of the enforcement notice has been served.