

SCHEDULE 4

PART 2

SECTIONS 40, 43, 44, 58, 59, 60, 68 AND 70 OF THE PLANNING ACT (NORTHERN IRELAND) 2011 AS MODIFIED

Notice requiring application for consent to be made

43.—(1) Where it appears to a council that any advertisement has been displayed without the grant of consent for the display of an advertisement required in that behalf the council may issue a notice under this section requiring the making of an application for such consent to the council within 28 days from the service of the notice.

(2) A notice under this section may be issued only within the period of 10 years from the date on which the advertisement to which it relates was first displayed.

(3) A notice under this section must specify the advertisement to which the notice relates.

(4) A copy of a notice under this section must be served on the person displaying the advertisement.

(5) Where a copy of a notice under this section has been served on the person referred to in subsection (4), then if the application referred to in the notice is not made to the council within the period allowed for compliance with the notice, that person shall be guilty of an offence and liable on summary conviction to a fine not exceeding level 3 on the standard scale.

(8) If, after a person has been convicted under subsection (5), the application referred to in the notice under this section is not made to the council, that person shall be guilty of a further offence and liable on summary conviction to a fine not exceeding one tenth of level 3 on the standard scale for each day following his first conviction on which the offence continues.

(9) The council may, at any time before the end of the period allowed for compliance with a notice under this section, withdraw the notice.

(10) If it does so the council must as soon as is reasonably possible give notice of the withdrawal to every person who was served with a copy of the notice.

(11) Any reference in this section and section 44 to the period allowed for compliance with a notice under this section is a reference to the period mentioned in subsection (1) or such extended period as may be allowed by the council for compliance with the notice.

(12) For the purposes of this section an application to the council for any consent shall not be taken to be made unless it is accompanied by the fee prescribed under section 223 in relation to that application.

Commencement Information

II Sch. 4 para. 43 in operation at 1.4.2015, see [reg. 1](#)

Changes to legislation:

There are currently no known outstanding effects for the The Planning (Control of Advertisements) Regulations (Northern Ireland) 2015, Paragraph 43.