



# Town and Country Planning Act 1962

1962 CHAPTER 38 10 and 11 Eliz 2

## PART IV

### ENFORCEMENT OF PLANNING CONTROL

#### *Enforcement in other cases*

#### **62 Enforcement of tree and building preservation orders**

- (1) If any person contravenes the provisions of a tree preservation order, he shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding fifty pounds; and if, in the case of a continuing offence, the contravention is continued after the conviction, he shall be guilty of a further offence and liable on summary conviction to an additional fine not exceeding forty shillings for every day on which the contravention is so continued.
- (2) The matters for which provision may be made by a building preservation order shall include provision for enabling the local planning authority, where any works of a description specified in the order have been executed in contravention of the order, to require the restoration of the building to its former state, and for that purpose for applying any of the provisions of this Part of this Act with respect to enforcement notices, subject to such adaptations and modifications as may be specified in the order.
- (3) Without prejudice to any provisions included in a building preservation order by virtue of the last preceding subsection, if any person, being the owner of a building in relation to which a building preservation order is in force, or a person on whom notice of such an order has been served by the authority by whom the order was made, executes, or causes or permits to be executed, any works in contravention of the order, he shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding one hundred pounds.
- (4) Nothing in subsection (2) or subsection (3) of this section shall render unlawful the execution of any works which are urgently necessary in the interests of safety or health or for the preservation of the building in question or of neighbouring property, so long

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as notice in writing of the proposed execution of the works is given, as soon as may be after the necessity for the works arises, to the authority by whom the order was made.