
STATUTORY INSTRUMENTS

1992 No. 1492

The Town and Country Planning General Regulations 1992

General

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(1) (“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.