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STATUTORY INSTRUMENTS

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**1999 No. 1810**

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

**The Town and Country Planning (Control of  
Advertisements) (Amendment) Regulations 1999**

<i>Made</i>	- - - -	<i>25th June 1999</i>
<i>Laid before Parliament</i>		<i>6th July 1999</i>
<i>Coming into force</i>	- -	<i>27th July 1999</i>

The Secretary of State for the Environment, Transport and the Regions as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by sections 220, 316 and 333(1) of the Town and Country Planning Act 1990<sup>(1)</sup> hereby make the following Regulations:—

**Citation and commencement**

1. These Regulations may be cited as the Town and Country Planning (Control of Advertisements) (Amendment) Regulations 1999 and shall come into force on 27th July 1999.

**Interpretation**

2. In these Regulations “the principal regulations” means the Town and Country Planning (Control of Advertisements) Regulations 1992<sup>(2)</sup>.

**Amendment of the principal regulations—application of section 77 of the Town and Country Planning Act 1990**

3. After regulation 9 of the principal regulations insert new regulation 9A as follows—

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(1) 1990 c. 8; section 220(3)(a) was amended by paragraph 21 of Schedule 6 and paragraph 37 of Schedule 7, and section 316 was substituted by section 20 of the Planning and Compensation Act 1991 (c. 34).  
(2) S.I.1992/666, amended by S.I. 1994/2351 and S.I. 1996/396.

**“Application of section 77 of the Act to applications for express consent**

**9A.**—(1) Section 77 (Reference of applications to Secretary of State) of the Act shall apply to applications for express consent made by an interested planning authority pursuant to these regulations subject to the following adaptations and modifications—

- (a) in subsection (1) for “applications for planning permission, or for the approval of any local planning authority required under a development order” substitute “applications for the display of advertisements pursuant to regulations made under section 220 of this Act”; and
- (b) subsections (4) and (6) shall be omitted.

(2) Where the Secretary of State gives a direction pursuant to section 77 of the Act in respect of an application for express consent to display an advertisement, regulations 12 (duty to consult), 13 (power to deal with applications) and 14 (notification of decision) of the principal regulations shall apply to that application subject to the following adaptations, modifications and exceptions—

- (a) any references to a local planning authority shall be construed as references to the Secretary of State;
- (b) regulation 12(1)(c) shall not apply; and
- (c) in regulation 14(1) for “applicant” substitute “interested planning authority.”.

**Amendment of the principal regulations—applications by interested planning authorities**

**4.** After regulation 13 of the principal regulations insert new regulation 13A as follows—

**“Applications by an interested planning authority**

**13A.**—(1) An application for express consent made by an interested planning authority (whether solely or jointly with any other person) to display an advertisement shall be determined by the authority concerned unless the application is referred to the Secretary of State under section 77 of the Act for determination by him.

- (2) Any consent granted pursuant to paragraph (1) shall expire—
  - (a) at the end of such period as the authority may specify in granting the consent; or
  - (b) where no period is so specified, at the end of a period of 5 years; or
  - (c) the date on which the interested planning authority ceases (whether solely or jointly) to display the advertisement,

whichever is the earlier.”

**Amendment of the principal regulations—discontinuance notice in respect of an interested planning authority’s advertisement**

**5.** In regulation 24(1) of the principal regulations for “within Class 1B in Schedule 3” substitute “displayed by an interested planning authority”.

**Consequential amendment to the Town and Country Planning General Regulations 1992**

**6.** In regulation 11 of the Town and Country Planning General Regulations 1992(3) after the words “other than planning permission to develop land or a consent under section 90(2)”, add “or a consent to display an advertisement pursuant to regulations under section 220”.

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(3) S.I. 1992/1492, to which there are amendments not relevant to these Regulations.

Signed by authority of the Secretary of State for the Environment, Transport and the Regions

*Nick Raynsford*  
Parliamentary Under-Secretary of State,  
Department of the Environment, Transport and  
the Regions

22nd June 1999

Signed by authority of the Secretary of State for Wales

*Jon Owen Jones*  
Parliamentary Under-Secretary of State, Welsh  
Office

25th June 1999

**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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## EXPLANATORY NOTE

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

These Regulations make changes in consent procedures for the display of local authority advertisements requiring express consent. Such procedures are set out in the Town and Country Planning (Control of Advertisement) Regulations 1992, Regulation 6 of, and Schedule 3 to the 1992 Regulations give deemed consent for extensive classes of local authority advertisements, and these Regulations apply only where those provisions do not cover the particular advertisement proposal.

Regulation 3 of these Regulations provides that the Secretary of State may call in for decision any express application for consent by an interested planning authority. If the Secretary of State does not call in the application, regulation 4 enables the authority to determine the application itself. In cases where the authority grants itself consent, the Secretary of State has, by virtue of regulation 5, the power to issue a discontinuance notice if such action is necessary to remedy a substantial injury to the amenity of the locality or a danger to members of the public.