
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (“the 2007 Regulations”) (S.I. 2007/783) which provide for the controls on the display of advertisements including flags.

Regulation 1 of the 2007 Regulations provides that the requirements for deemed consent in Part 2 of those Regulations or express consent in Part 3 of those Regulations do not apply to the display of advertisements set out in Column 1, subject to the conditions in Column 2, of Schedule 1. Class H makes provision for the display of certain flags. Regulation 2(2) of these Regulations substitutes a new Class H for Class H of Schedule 1 to the 2007 Regulations allowing a wider range of flags to be displayed.

Regulation 6 of the 2007 Regulations provides for deemed consent for the display of an advertisement in a class specified in Schedule 3. Regulation 2(3) of these Regulations amends Class 7 of Part 1 of Schedule 3 to the 2007 Regulations. Paragraph 7A is amended to permit a wider range of flags to be displayed and to remove restrictions on the size of the characters or symbols that may be displayed on the flag. New paragraph 7AA gives deemed consent to the display of a flag from a single flagstaff projecting from any part of a building other than vertically from the roof (as paragraph 7A governs flags attached to flagstaffs projecting vertically from roofs). New paragraph 7AB gives deemed consent to flags flown from up to two flagstaffs on land within the curtilage of a building. Flag advertisements within these classes may not be displayed in a conservation area, an Area of Outstanding Natural Beauty, a National Park, the Broads or an area of special control. New paragraph 7AC gives deemed consent for the display of Blue Flag Award scheme flags from flagstaffs on beaches or in marinas. A new paragraph 7AD gives deemed consent to the display of Green Flag Award or Green Flag Community Award scheme flags from flagstaffs in parks and other green spaces.

An impact assessment has been prepared in relation to these Regulations. It has been placed in the library of each House of Parliament and copies can be obtained from the Department for Communities and Local Government, Eland House, Bressenden Place, London, SW1E 5DU or <http://www.communities.gov.uk>.