

SCHEDULE 5

Regulation 20

AREA OF SPECIAL CONTROL ORDERS

PART 1

PROCEDURE FOR AREA OF SPECIAL CONTROL ORDERS

1. Where a local planning authority proposes—
 - (a) to designate an area of special control; or
 - (b) to modify an area of special control order,

it shall make an area of special control order designating the area or indicating the modifications by reference to a map annexed to the order.

2. If an area of special control order contains any descriptive matter relating to the area or the modifications in question, that descriptive matter shall prevail, in the case of any discrepancy with the map, unless the order provides to the contrary.

3. As soon as may be after the making of an area of special control order, the authority shall submit it to the Secretary of State for approval, together with—

- (a) two certified copies of the order;
- (b) a full statement of the authority's reasons for making it;
- (c) in the case of an order modifying an existing order, unless the boundaries of the existing area of special control are indicated on the map annexed to the order, a plan showing both those boundaries and the proposed modifications; and
- (d) such additional certified copies of any of the material referred to in subparagraphs (a) to (c) as the Secretary of State may, by notice in writing to the authority, require.

4. The authority shall, as soon as reasonably practicable after the making of an area of special control order, publish in the London Gazette, and in two successive weeks in at least one newspaper circulating in the locality, a notice in Form 1.

5. If any objection is made to an order, in the manner and within the time specified in the notice, the Secretary of State—

- (a) may offer all interested parties an opportunity to make representations to her in writing about any such objection before such date as she may specify;
- (b) may, and at the request of any interested party shall, either provide for a local inquiry to be held or afford to the parties an opportunity of a hearing before a person appointed by her.

6. After considering any representations or objections duly made and not withdrawn and, where applicable, the report of any person holding an inquiry or hearing, the Secretary of State may, subject to paragraph 7, approve the order with or without modification.

7. If the Secretary of State proposes to modify an order by the inclusion of additional land, she shall—

- (a) publish notice of her proposed modification;
- (b) afford an opportunity for the making of objections to, or representations about, the proposed modification; and
- (c) if she considers it expedient, provide for a further inquiry or hearing to be held.

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, SCHEDULE 5. (See end of Document for details)

8. As soon as may be after the order has been approved, the local planning authority shall publish in the London Gazette, and in two successive weeks in at least one newspaper circulating in the locality, a notice of its approval in Form 2.

9. An area of special control order shall come into force on the date on which the notice of its approval is published in the London Gazette.

10. Where a local planning authority proposes to make an order revoking an area of special control order, a map showing the area then subject to special control shall be annexed to the order.

11. Paragraphs 3 to 6, 8 and 9 shall apply in relation to an order under paragraph 10 as they apply in relation to the making and approval of an area of special control order, as if—

- (a) for references to the area of special control order (in whatever terms) there were substituted references to the revocation order;
- (b) paragraph 3(c) were omitted;
- (c) in paragraph 3(d), for “(a) to (c)”, there were substituted “ (a) and (b) ”;
- (d) in paragraph 4, for “Form 1”, there were substituted “ Form 3 ”;
- (e) in paragraph 6 the words “, subject to paragraph 7,” were omitted; and
- (f) in paragraph 8, for “Form 2” there were substituted “ Form 4 ”.

12. Any reference in this Part to a form followed by a number is a reference to the form bearing that number in Part 2 of this Schedule or a form substantially to the like effect.

PART 2

FORMS OF NOTICE

FORM 1

NOTICE OF AN AREA OF SPECIAL CONTROL ORDER

Town and Country Planning Act 1990
Town and Country Planning (Control of Advertisements) (England) Regulations 2007

1. The (insert name of Council) has submitted to the Secretary of State for approval an area of special control order.

2* The order designates as an area of special control for the purpose of the display of advertisements the land described in the Schedule to this notice and shown on the map annexed to the order.

OR

2* The order modifies the (insert name of relevant order) by adding/removing the land described in the Schedule to this notice and shown on the map annexed to the order.

3 A copy of the order and of the statement of the Council's reasons for making it have been deposited at and will be available for inspection, free of charge, between the hours of and on any working day during the period

4 Any objection to the order must be made in writing, stating the grounds of objection, and sent to the Secretary of State, Eland House, Bressenden Place, London SW1E 5DU, quoting the reference before (insert a date at least 28 days from the date of first publication of the local advertisement).

Signed

On behalf of

Date

*Delete inappropriate words

SCHEDULE
(insert description of land)

Changes to legislation: There are currently no known outstanding effects for the The Town and Country Planning (Control of Advertisements) (England) Regulations 2007, SCHEDULE 5. (See end of Document for details)

FORM 2

NOTICE OF APPROVAL OF AN AREA OF SPECIAL CONTROL ORDER

Town and Country Planning Act 1990
Town and Country Planning (Control of Advertisements) (England) Regulations 2007

1. The Secretary of State has approved *with modifications the (insert name of order).
2. The order *designates as an area of special control for the purpose of the display of advertisements the land described in the Schedule to this notice *modifies the (insert name of relevant order) by *adding/removing the land described in the Schedule to this notice.
3. The order comes into force on (insert date of publication of approval in the London Gazette).
4. A copy of the order as approved has been deposited at _____ and may be inspected there, free of charge, on any working day between the hours of _____ and _____.

Signed _____
On behalf of _____
Date _____

*Delete inappropriate words

SCHEDULE
(insert description of land)

IMPORTANT
Regulation 21 of the Town and Country Planning (Control of Advertisements) (England) Regulations 2007 (SI 2007/xx) describes—
The advertisements that are permitted in an area of special control.
The circumstances in which existing advertisements must be removed after this order comes into force.

FORM 3

NOTICE OF REVOCATION OF AN AREA OF SPECIAL CONTROL ORDER

Town and Country Planning Act 1990
Town and Country Planning (Control of Advertisements) (England) Regulations 2007

1. The (insert name of Council) has submitted to the Secretary of State for approval an order revoking the (insert name of relevant order).
2. A copy of the revocation order and of the statement of the Council's reasons for making it have been deposited at _____ and will be available for inspection there, free of charge, between the hours of _____ on working days during the period _____.
3. Any objection to the revocation order must be made in writing, stating the grounds of objection, and sent to the Secretary of State, Eland House, Bressenden Place, London SW1E 5DU, quoting the reference _____ before (insert a date at least 28 days from the date of first publication of the local advertisement).

Signed _____
On behalf of _____
Date _____

FORM 4

NOTICE OF APPROVAL OF AN ORDER REVOKING AN AREA OF SPECIAL CONTROL ORDER

Town and Country Planning Act 1990
Town and Country Planning (Control of Advertisements) (England) Regulations 2007

1. The Secretary of State has approved an order revoking the (insert name of order revoked). Once the revocation order is in force the land to which the (insert name of order revoked) relates will cease to be subject to special control as regards the display of advertisements.
2. The revocation order comes into force on (insert date of publication of approval in the London Gazette).
3. A copy of the revocation order as approved has been deposited at _____ and may be inspected there, free of charge, on any working day between the hours of _____ and _____.

Signed _____
On behalf of _____
Date _____

Changes to legislation:

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