



# Town and Country Planning Act 1990

## 1990 CHAPTER 8

### PART VIII

#### SPECIAL CONTROLS

#### CHAPTER III

#### ADVERTISEMENTS

#### *Advertisement regulations*

#### **220 Regulations controlling display of advertisements.**

- (1) Regulations under this Act shall make provision for restricting or regulating the display of advertisements so far as appears to the Secretary of State to be expedient in the interests of amenity or public safety.
- (2) Without prejudice to the generality of subsection (1), any such regulations may provide—
  - (a) for regulating the dimensions, appearance and position of advertisements which may be displayed, the sites on which advertisements may be displayed and the manner in which they are to be affixed to the land;
  - (b) for requiring the consent of the local planning authority to be obtained for the display of advertisements, or of advertisements of any class specified in the regulations;
  - (c) for applying, in relation to any such consent and to applications for such consent, any of the provisions mentioned in subsection (3), subject to such adaptations and modifications as may be specified in the regulations;
  - (d) for the constitution, for the purposes of the regulations, of such advisory committees as may be prescribed by the regulations, and for determining the manner in which the expenses of any such committee are to be defrayed.

[<sup>F1</sup>(2A) The regulations may also make provision as to—

*Status: Point in time view as at 30/10/2019.*

*Changes to legislation: Town and Country Planning Act 1990, Cross Heading: Advertisement regulations is up to date with all changes known to be in force on or before 10 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (a) the form and manner in which an application for consent must be made;
  - (b) particulars of such matters as are to be included in the application;
  - (c) any documents or other materials which must accompany the application.]
- (3) The provisions referred to in subsection (2)(c) are—
- (a) the provisions of Part III relating to planning permission and to applications for planning permission, except sections 56, [F2 62], 65 F3 . . . , 69(3) and (4), 71, F4 . . . , 91 to 96, 100 and 101 and Schedule 8;
  - (b) sections 137 to 141, 143 and 144 (except so far as they relate to purchase notices served in consequence of such orders as are mentioned in section 137(1)(b) or (c));
  - (c) section 316.
- (4) Without prejudice to the generality of the powers conferred by this section, regulations made for the purposes of this section may provide that any appeal from the decision of the local planning authority, on an application for their consent under the regulations, shall be to an independent tribunal constituted in accordance with the regulations, instead of being an appeal to the Secretary of State.
- (5) If any tribunal is so constituted, the Secretary of State may pay to the chairman and members of the tribunal such remuneration, whether by way of salaries or by way of fees, and such reasonable allowances in respect of expenses properly incurred in the performance of their duties, as he may with the consent of the Treasury determine.

#### Textual Amendments

- F1** S. 220(2A) inserted (6.8.2004 for certain purposes and prosp. otherwise) by [Planning and Compulsory Purchase Act 2004 \(c. 5\), ss. 42\(4\), 121 \(with s. 111\); S.I. 2004/2097, art. 2](#)
- F2** Words in s. 220(3) repealed (6.8.2004 for certain purposes and prosp. otherwise) by [Planning and Compulsory Purchase Act 2004 \(c. 5\), ss. 120, 121, Sch. 9 \(with s. 111\); S.I. 2004/2097, art. 2](#)
- F3** Words in s. 220(3)(a) repealed (17.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\), ss. 32, 84\(6\), Sch. 7 para. 37, Sch. 19 Pt. I \(with s. 84\(5\)\); S.I. 1992/1491, art. 2, Schs. 1, 2](#)
- F4** Words in s. 220(3)(a) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\), ss. 31\(4\), 84\(6\), Sch. 6 para. 21, Sch. 19 Pt. II \(with s. 84\(5\)\); S.I. 1991/2067, art. 3 \(subject to art. 4\)](#)

#### Modifications etc. (not altering text)

- C1** S. 220: power to apply conferred (10.11.1993) by [1993 c. 28, s. 171\(4\)\(a\); S.I. 1993/2762, art. 3](#)
- C2** S. 220: functions of local authority not to be responsibility of an executive of the authority (E.) (16.11.2000) by virtue of [S.I. 2000/2853, reg. 2\(1\), Sch. 1](#)

## 221 Power to make different advertisement regulations for different areas.

- (1) Regulations made for the purposes of section 220 may make different provision with respect to different areas, and in particular may make special provision—
- (a) with respect to conservation areas;
  - (b) with respect to areas defined for the purposes of the regulations as experimental areas, and
  - (c) with respect to areas defined for the purposes of the regulations as areas of special control.

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- (2) An area may be defined as an experimental area for a prescribed period for the purpose of assessing the effect on amenity or public safety of advertisements of a prescribed description.
- (3) An area may be defined as an area of special control if it is—
  - (a) a rural area, or
  - (b) an area which appears to the Secretary of State to require special protection on grounds of amenity.
- (4) Without prejudice to the generality of subsection (1), the regulations may prohibit the display in an area of special control of all advertisements except advertisements of such classes (if any) as may be prescribed.
- (5) Areas of special control for the purposes of regulations under this section may be defined by means of orders made or approved by the Secretary of State in accordance with the provisions of the regulations.
- (6) Where the Secretary of State is authorised by the regulations to make or approve any such order as is mentioned in subsection (5), the regulations shall provide—
  - (a) for the publication of notice of the proposed order in such manner as may be prescribed,
  - (b) for the consideration of objections duly made to it, and
  - (c) for the holding of such inquiries or other hearings as may be prescribed, before the order is made or approved.
- (7) Subject to subsection (8), regulations made under section 220 may be made so as to apply—
  - (a) to advertisements which are being displayed on the date on which the regulations come into force, or
  - (b) to the use for the display of the advertisements of any site which was being used for that purpose on that date.
- (8) Any regulations made in accordance with subsection (7) shall provide for exempting from them—
  - (a) the continued display of any such advertisements as there mentioned; and
  - (b) the continued use for the display of advertisements of any such site as there mentioned,during such period as may be prescribed.
- (9) Different periods may be prescribed under subsection (8) for the purposes of different provisions of the regulations.

**Modifications etc. (not altering text)**

**C3** S. 221: power to apply conferred (10.11.1993) by 1993 c. 28, s. 171(4)(a); S.I. 1993/2762, art. 3

**222 Planning permission not needed for advertisements complying with regulations.**

Where the display of advertisements in accordance with regulations made under section 220 involves development of land—

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- (a) planning permission for that development shall be deemed to be granted by virtue of this section, and
- (b) no application shall be necessary for that development under Part III.

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**Modifications etc. (not altering text)**

C4 S. 222: power to apply conferred (10.11.1993) by 1993 c. 28, s. 171(4)(a); S.I. 1993/2762, art. 3

**Status:**

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