



Town and Country Planning Act 1990

1990 CHAPTER 8

PART VIII

SPECIAL CONTROLS

CHAPTER II

LAND ADVERSELY AFFECTING AMENITY OF NEIGHBOURHOOD

219 Execution and cost of works required by s. 215 notice.

(1) If, within the period specified in a notice under section 215 in accordance with subsection (2) of that section, or within such extended period as the local planning authority who served the notice may allow, any steps required by the notice to be taken have not been taken, the local planning authority who served the notice may—

- (a) enter the land and take those steps, and
- (b) recover from the person who is then the owner of the land any expenses reasonably incurred by them in doing so.

(2) Where a notice has been served under section 215—

- (a) any expenses incurred by the owner or occupier of any land for the purpose of complying with the notice, and
- (b) any sums paid by the owner of any land under subsection (1) in respect of expenses incurred by the local planning authority in taking steps required by such a notice,

shall be deemed to be incurred or paid for the use and at the request of the person who caused or permitted the land to come to be in the condition in which it was when the notice was served.

(3) Regulations made under this Act may provide that—

- (a) section 276 of the ^{M1}Public Health Act 1936 (power of local authorities to sell materials removed in executing works under that Act subject to accounting for the proceeds of sale);

Status: Point in time view as at 25/09/1991.

Changes to legislation: *Town and Country Planning Act 1990, Section 219 is up to date with all changes known to be in force on or before 20 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)*

- (b) section 289 of that Act (power to require the occupier of any premises to permit works to be executed by the owner of the premises); or
- (c) section 294 of that Act (limit on liability of persons holding premises as agents or trustees in respect of the expenses recoverable under that Act),

shall apply, subject to such adaptations and modifications as may be specified in the regulations, in relation to any steps required to be taken by a notice under section 215.

- (4) Regulations under subsection (3) applying section 289 of the Public Health Act 1936 may include adaptations and modifications for the purpose of giving the owner of land to which a notice under section 215 relates the right, as against all other persons interested in the land, to comply with the requirements of the enforcement notice.
- (5) Regulations under subsection (3) may also provide for the charging on the land of any expenses recoverable by a local authority under subsection (1).

^{F1}(6)

Textual Amendments

- F1** S. 219(6) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 32, 84(6), Sch. 7 para. 36, [Sch. 19 Pt.I](#); S.I. 1991/2067, [art.3](#) (subject to art. 4)

Modifications etc. (not altering text)

- C1** S. 219: power to apply conferred (10.11.1993) by [1993 c. 28, s. 171\(4\)\(a\)](#); S.I. 1993/2762, [art. 3](#)

Marginal Citations

- M1** [1936 c.49](#).

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