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STATUTORY INSTRUMENTS

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**1989 No. 670**

**The Town and Country Planning (Control  
of Advertisements) Regulations 1989**

**PART V**

**MISCELLANEOUS**

**Compensation under section 176 of the Act**

**20.**—(1) The time limit prescribed for the purpose of making a claim for compensation under section 176 of the Act is a period of 6 months from the completion of works carried out—

- (a) to remove an advertisement displayed on 1st August 1948; or
- (b) to discontinue the use for the display of advertisements of a site used since that date.

(2) Any such claim shall contain such information as the local planning authority consider is required to enable them properly to determine the claim.

**Register of applications**

**21.**—(1) Every local planning authority shall keep a register containing particulars of—

- (a) any application made to them for express consent for the display of an advertisement, including the name and address of the applicant, the date of the application and the type of advertisement concerned;
- (b) any direction given under these Regulations relating to the application;
- (c) the date and effect of any decision of the local planning authority on the application;
- (d) the date and effect of any decision of the Secretary of State on an appeal.

(2) The register shall include an index to enable a person to trace any entry therein.

(3) Any part of the register which relates to land within a particular part of the area of a local planning authority may be kept at a place within or convenient to that part of their area.

(4) Subject to paragraph (3) above, the register shall be kept at the office of the local planning authority.

(5) Every entry in the register consisting of particulars of an application shall be made within 14 days of the receipt of that application.

(6) The register shall be open to public inspection at all reasonable hours.

**Powers of the Secretary of State**

**22.**—(1) The Secretary of State may give a direction to a local planning authority, or to such authorities generally, requiring them to provide him with information required for the purpose of any of his functions under these Regulations.

(2) Subject to regulation 23 below, if it appears to the Secretary of State, after consultation with the local planning authority, that—

(a) a discontinuance notice should be served under regulation 8; or

(b) an area of special control order or a revocation order under regulation 18 should be made, he may himself serve such a notice or make such an order.

(3) Where the Secretary of State proposes to exercise his power under paragraph (2) above, the provisions of regulations 8, 15 and 18 shall apply, with such modifications as may be necessary, as they apply to the action of a local planning authority.

#### **Secretary of State's discontinuance notice**

**23.**—(1) If the Secretary of State is satisfied that it is necessary to remedy a substantial injury to the amenity of the locality or a danger to members of the public, he may serve a discontinuance notice under regulation 8 above in relation to an advertisement within Class 1B in Schedule 3.

(2) Paragraphs (2), (5) and (6) of regulation 8 shall apply to a discontinuance notice to which paragraph (1) above applies as if references to the local planning authority were references to the Secretary of State.

(3) Regulation 15(3) above shall apply to a discontinuance notice to which paragraph (1) above applies, with such modifications as may be necessary.

#### **Extension of time limits**

**24.** The Secretary of State may, in any particular case, extend the time within which anything is required to be done under these Regulations or within which any objection, representation or claim for compensation may be made.

#### **Directions**

**25.** Any power conferred by these Regulations to give a direction includes power to cancel or vary the direction by a subsequent direction.

#### **Contravention of Regulations**

**26.** A person displaying an advertisement in contravention of these Regulations shall be liable on summary conviction of an offence under section 109(2) of the Act to a fine of an amount not exceeding level 3 on the standard scale and, in the case of a continuing offence, £40 for each day during which the offence continues after conviction.

#### **Statutory Instruments revoked**

**27.** The Town and Country Planning (Control of Advertisements) Regulations 1984(1), the Town and Country Planning (Control of Advertisements) (Amendment) Regulations 1987(2) and the Town and Country Planning (Control of Advertisements) (Amendment No. 2) Regulations 1987(3) are hereby revoked.

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(1) S.I.1984/421.  
(2) S.I. 1987/804.  
(3) S.I. 1987/2227.