

---

STATUTORY INSTRUMENTS

---

**1992 No. 666**

**The Town and Country Planning (Control  
of Advertisements) Regulations 1992**

**PART I  
GENERAL**

**Citation and commencement**

1. These Regulations may be cited as the Town and Country Planning (Control of Advertisements) Regulations 1992 and shall come into force on 6th April 1992.

**Interpretation**

2.—(1) In these Regulations—

“the Act” means the Town and Country Planning Act 1990;

“advertisement” does not include anything employed wholly as a memorial or as a railway signal;

“area of outstanding natural beauty” means an area designated as such by an order made under section 87 of the National Parks and Access to the Countryside Act 1949<sup>(1)</sup>;

“area of special control” means an area designated by an order under regulation 18;

“balloon” means a tethered balloon or similar object;

“deemed consent” has the meaning given by regulation 5;

“discontinuance notice” means a notice served under regulation 8;

“express consent” has the meaning given by regulation 5;

“illuminated advertisement” means an advertisement which is designed or adapted to be illuminated by artificial lighting, directly or by reflection, and which is so illuminated;

“National Park” has the meaning given by section 5 of the National Parks and Access to the Countryside Act 1949;

“site” means any land or building, other than an advertisement, on which an advertisement is displayed;

“standard conditions” means the conditions specified in Schedule 1;

“statutory undertaker” includes, in addition to any person mentioned in section 262(1) of the Act, the Civil Aviation Authority, the British Airports Authority, the British Coal Corporation, any public gas supplier within the meaning of Part I of the Gas Act 1986<sup>(2)</sup>, any public electricity supplier within the meaning of Part I of the Electricity Act 1989<sup>(3)</sup>, the Post Office,

---

(1) 1949 c. 97.

(2) 1986 c. 44.

(3) 1989 c. 29.

the National Rivers Authority, any water or sewerage undertaker and any telecommunications code system operator; and statutory undertaking shall be interpreted accordingly;

“telecommunications code system operator” means a person who has been granted under section 7 of the Telecommunications Act 1984<sup>(4)</sup> a licence which applies the telecommunications code to him in pursuance of section 10 of that Act;

“vehicle” includes a vessel on any inland waterway; and

“waterway” includes coastal waters.

- (2) In these Regulations, “local planning authority” means—
- (a) for land in the area of an urban development corporation, except in regulation 18, that corporation where it is the local planning authority for the purposes of sections 220 and 224 of the Act;
  - (b) for land in a National Park which is land that is not in a metropolitan county, the county planning authority for the area where the land is situated; and
  - (c) in any other case, the relevant district planning authority or metropolitan district or London borough council.
- (3) Any reference in these Regulations to a person displaying an advertisement includes—
- (a) the owner and occupier of the land on which the advertisement is displayed;
  - (b) any person to whose goods, trade, business or other concerns publicity is given by the advertisement; and
  - (c) the person who undertakes or maintains the display of the advertisement.
- (4) Except in Class A in Schedule 2, any reference in these Regulations to the land, the building, the site or the premises on which an advertisement is displayed includes, in the case of an advertisement which is displayed on, or which consists of, a balloon, a reference to the land, the building, the site or other premises to which the balloon is attached and to all land, buildings or other premises normally occupied therewith.

### **Application**

**3.—**(1) These Regulations apply to the display on any site in England and Wales of any advertisement.

(2) Parts II and III of these Regulations do not apply to any advertisement falling within a description set out in Schedule 2 provided it complies with any conditions and limitations specified in that Schedule; and—

- (a) in the case of an advertisement falling within Class G, it complies with the standard conditions set out in paragraphs 1, 2, 3, and 5 of Schedule 1; or
- (b) in any other case, it complies with all the standard conditions.

### **Powers to be exercised in the interests of amenity and public safety**

**4.—**(1) A local planning authority shall exercise their powers under these Regulations only in the interests of amenity and public safety, taking account of any material factors, and in particular—

- (a) in the case of amenity, the general characteristics of the locality, including the presence of any feature of historic, architectural, cultural or similar interest, disregarding, if they think fit, any advertisement being displayed there;
- (b) in the case of public safety—

---

(4) 1984 c. 12.

- (i) the safety of any person who may use any road, railway, waterway, dock, harbour or aerodrome;
- (ii) whether any display of advertisements is likely to obscure, or hinder the ready interpretation of, any road traffic sign, railway signal or aid to navigation by water or air.

(2) In determining an application for consent for the display of advertisements, or considering whether to make an order revoking or modifying a consent, the local planning authority may have regard to any material change in circumstances likely to occur within the period for which the consent is required or granted.

(3) Unless it appears to the local planning authority to be required in the interests of amenity or public safety, an express consent for the display of advertisements shall not contain any limitation or restriction relating to the subject matter, content or design of what is to be displayed.

(4) A consent for the display of advertisements shall take effect as consent for the use of the site for the purposes of the display, whether by the erection of structures or otherwise, and for the benefit of any person interested in the site.

#### **Requirement for consent**

5.—(1) No advertisement may be displayed without consent granted by the local planning authority or by the Secretary of State on an application in that behalf (referred to in these Regulations as “express consent”), or granted by regulation 6 (referred to in these Regulations as “deemed consent”), except an advertisement displayed in accordance with paragraph (2) below.

(2) The display—

- (a) outside any area of special control, of such an advertisement as is mentioned in regulation 3(2); or
- (b) within an area of special control, of such an advertisement as is so mentioned, other than one falling within Class A in Schedule 2,

is in accordance with this paragraph.