
WELSH STATUTORY INSTRUMENTS

2012 No. 801

**The Town and Country Planning (Development
Management Procedure) (Wales) Order 2012**

PART 7

Monitoring

Register of enforcement and stop notices

30.—(1) Subject to paragraph (2), the register under section 188 of the 1990 Act (register of enforcement and stop notices)(**1**) must contain the following information with respect to every enforcement notice issued in relation to land in the area of the local planning authority maintaining the register—

- (a) the address of the land to which the notice relates or a plan by reference to which its situation can be ascertained;
- (b) the name of the issuing authority;
- (c) the date of issue of the notice;
- (d) the date of service of copies of the notice;
- (e) a statement or summary of the breach of planning control alleged and the requirements of the notice, including the period within which any required steps are to be taken;
- (f) the date specified in the notice as the date on which it is to take effect;
- (g) information on any postponement of the date specified as the date on which the notice will take effect by reason of section 175(4) of the 1990 Act (appeals: supplementary provisions)(**2**)(**3**) and the date of the final determination or withdrawal of any appeal;
- (h) the date of service and, if applicable, of withdrawal of any stop notice referring to the enforcement notice, together with a statement or summary of the activity prohibited by any such stop notice; and
- (i) the date, if any, on which the authority are satisfied that steps required by the notice for a purpose mentioned in section 173(4)(b) of the 1990 Act (contents and effect of notice: remedying any injury to amenity)(**3**) have been taken.

(2) That register must also contain the following information with respect to every breach of condition notice served in relation to land in the area of the local planning authority maintaining the register—

- (a) the address of the land to which the notice relates or a plan by reference to which its situation can be ascertained;
- (b) the name of the serving authority;

(1) Section 188 was amended by section 84(6) of, and paragraph 30 of Schedule 7 and Part I of Schedule 19 to, the Planning and Compensation Act 1991. There are other amendments which are not relevant to this Order.
(2) There is an amendment to section 175(4) not relevant to this Order.
(3) Section 173 was substituted by section 5 of the Planning and Compensation Act 1991 (c. 34).

- (c) the date of service of the notice;
 - (d) details of the relevant planning permission sufficient to enable it to be identified; and
 - (e) a statement or summary of the condition which has not been complied with and the requirements of the notice, including the period allowed for compliance.
- (3) All entries relating to an enforcement notice, stop notice or breach of condition notice must be removed from the register if—
- (a) in the case of an enforcement notice or stop notice, the relevant enforcement notice is quashed by the Welsh Ministers;
 - (b) in the case of a breach of condition notice, the notice is quashed by a court;
 - (c) in any case, the relevant notice is withdrawn.
- (4) Every register must include an index for enabling a person to trace any entry in the register by reference to the address of the land to which the notice relates.
- (5) The information prescribed in paragraphs (1) and (2) must be entered in the register as soon as practicable and in any event within 14 days of the occurrence to which it relates.
- (6) The whole of the register must be kept at the principal office of the local planning authority or that part of the register which relates to land in part of that authority's area must be kept at a place within or convenient to that part.