EXPLANATORY NOTE

(This Note is not part of these Regulations, but is intended to indicate their general purport.)

The purpose of these Regulations is to extend the period for making claims for a payment under the Scheme for payments in respect of depreciation of land values to be made under Section 58 of the Town and Country Planning Act, 1947, in the case of certain interests in mineral bearing land, from the 30th June, 1949 (which is the final date for the making of claims in respect of interests in land not covered by these Regulations) to the 31st December, 1949.

2. CONTROL OF ADVERTISEMENTS

The Town and Country Planning (Control of Advertisements) Amendment Regulations, 1949

1949 No. 1473

Made - - - -	*29th July,* 1949
Laid before Parliament	*30th July,* 1949
Coming into Operation	*1st September,* 1949

B3501.

The Minister of Town and Country Planning in exercise of the powers conferred on him by Section 31 of the Town and Country Planning Act, 1947(a), and of all other powers enabling him in that behalf, hereby makes the following Regulations:—

1.—(1) These Regulations may be cited as the Town and Country Planning (Control of Advertisements) Amendment Regulations, 1949, and shall come into force on the first day of September, 1949.

(2) The Interpretation Act, 1889(b), shall apply to the interpretation of these Regulations as it applies to the interpretation of an Act of Parliament.

2. In paragraph (1) of Regulation 2 of the Town and Country Planning (Control of Advertisements) Regulations, 1948(c), (hereinafter called "the Regulations") after the words "under Section 34" in the definition of "local planning authority" there shall be inserted the words "or delegated under subsection (10)".

3. In paragraph (4) of Regulation 5 of the Regulations, after the word "consent" in the first place where that word occurs there shall be inserted the words "given by or", and for the words "or of a person entitled to grant such permission" there shall be substituted the words "or other person entitled to grant permission in relation thereto".

4. In sub-paragraph (*b*) of paragraph (2) of Regulation 11 of the Regulations, for the words "guest house" there shall be substituted the words "guest house, hostel, camping or caravan site, place where refreshments may be obtained".

5. In Class III of Regulation 12 of the Regulations, for sub-classes (*b*) and (*c*) there shall be substituted—

"(*b*) Advertisements announcing a sale of goods or livestock, and displayed on the land where such goods or livestock are situated or where

(a) 10 & 11 Geo. 6. c. 51. (b) 52 & 53 Vict. c. 63. (c) S.I. 1948 (No. 1613) I, p. 4114.

such sale is held, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of holding such sales: limited to one advertisement not exceeding twelve square feet in area at each place where such advertisements may be displayed.

(*c*) Advertisements relating to the carrying out of building or similar work on the land on which they are displayed, not being land which is normally used, whether at regular intervals or otherwise, for the purpose of carrying out such work; limited to one advertisement not exceeding twenty square feet in area on each road frontage of the premises in respect of each contractor or sub-contractor, or firm of contractors or sub-contractors, carrying out such work.

(*d*) Advertisements announcing any local event of a religious, educational, cultural, political, social or recreational character, and advertisements relating to any temporary matter in connection with an event or local activity of such a character, not in either case being an event or local activity promoted or carried on for commercial purposes; limited to a display of advertisements occupying an area not exceeding a total of six square feet on any premises."

6.—(1) For sub-paragraph (*a*) of paragraph 3 of Regulation 12 of the Regulations there shall be substituted—

"(*a*) "business premises" means, save as hereinafter provided, any building normally used for the carrying on of any professional, commercial or industrial undertaking, or any building (other than an institution in respect of which advertisements of Class II (*c*) may be displayed) normally used for the provision therein of services to members of the public or of any association, and includes public restaurants, licensed premises and places of public entertainment, but in the case of any building used principally for residential purposes includes only that part of the building normally used as business premises: provided that the expression shall not include any building designed for use as one or more separate dwellings, unless the building was normally used immediately before the first day of September, 1949, for the carrying on of any such undertaking or for the provision of any such services as aforesaid, or unless the building has been, or is at any time, adapted for use as business premises by the construction of a shop front or the making of a material alteration of a similar kind to the external appearance of the building."

(2) In sub-paragraph (*c*) of the said paragraph (3), the words "or organisation", in both places where those words occur, shall be deleted.

7. In the proviso to paragraph (1) of Regulation 17 of the Regulations after the word "display" there shall be inserted the words "in accordance with the provisions of Regulation 12 of these Regulations".

8. In paragraph (5) of Regulation 18 of the Regulations, the words "direct otherwise" shall be deleted, and after the words "when granting consent" there shall be inserted the words "impose a condition to the contrary".

9.—(1) In paragraph (2) of Regulation 20 of the Regulations, after the word "decision" in the first place where that word occurs there shall be inserted the words "or such longer period as the Minister may allow," and the words "and shall forthwith notify the authority that an appeal has been made" shall be deleted.

(2) At the end of paragraph (6) of the said Regulation 20 there shall be added the words "and shall otherwise have effect as if it were a decision of the local planning authority."

10. In paragraph (2) of Regulation 26 of the Regulations for the words " or of a person entitled to grant such permission " there shall be substituted the words " or other person entitled to grant permission in relation thereto ".

11. At the end of paragraph (6) of Regulation 28 of the Regulations there shall be added the words " and shall otherwise have effect as if it were a decision of the local planning authority ".

12.—(1) In paragraph (3) of Regulation 31 of the Regulations, for the words " at a convenient place within " there shall be substituted the words " at a place within or convenient to ".

(2) After the said paragraph (3) there shall be inserted the following additional paragraph—

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

13. With respect to the making, on or after the date on which these Regulations come into force, of any order under Regulation 10 of the Regulations, the provisions of the Second Schedule to the Regulations shall apply subject to the insertion in paragraph 3 of that Schedule, after the words " annexed thereto ", of the words " and of the statement of reasons mentioned in the last foregoing paragraph " ; and in Form No. 1 in the Third Schedule to the Regulations, for the words " the other documents relating to the Order " there shall be substituted the words " a statement of reasons submitted therewith ".

Dated this twenty-ninth day of July, 1949.

Given under the Official Seal of the Minister of Town and Country Planning.

(L.S.) *Lewis Silkin,*
Minister of Town and Country Planning.

EXPLANATORY NOTE

(This Note is not part of these Regulations, but is intended to indicate their general purport.)

These Regulations amend the Town and Country Planning (Control of Advertisements) Regulations, 1948. Regulation 4 adds to the kinds of advertisements which a local planning authority may permit to be displayed in an area which has been defined by order as an area of special control. Regulation 5 extends the permission already granted for temporary advertisements of Class III by raising the maximum size and number of contractors' boards that may be displayed on building sites without the express consent of the local planning authority (new sub-class (*c*)), and by including, among the kinds of local activities that may be publicised without express consent, events and activities of a political nature (new sub-class (*d*)). Regulation 6 (1) amends the definition of " business premises " so as to include buildings used for the provision of services, whether for profit or otherwise, and to exclude, except in specified circumstances, buildings designed for use as dwellings. Among a number of minor and procedural amendments Regulation 13 requires a local planning authority, when seeking the Minister's approval to an order defining an area of special control, to make available for public inspection, together with a copy of the order and map, a copy of the statement of reasons which they submit with the order to the Minister.