(2) In sub-paragraph (*b*) of paragraph (2) of Regulation 12 after the words " an advertisement of Class I " there shall be inserted the words " or Class V ".

4. In sub-paragraph (*c*) of paragraph (3) of Regulation 10 and in sub-paragraph (*d*) of paragraph (1) of Regulation 16 the word " other " shall be deleted and after the words " may direct " there shall be added the words " under Regulation 28 of these Regulations ".

Dated this twelfth day of June, 1951.

Given under the Official Seal of the Minister of Local Government and Planning.

(L.S.)

Hugh Dalton,
Minister of Local Government and Planning.

EXPLANATORY NOTE

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

These Regulations amend the Town and Country Planning (Control of Advertisements) Regulations, 1948. Regulation 2 includes direction signs to places of worship among the advertisements for which consent may be granted on application in an area defined by order as an area of special control. Regulation 3 adds a limited class of flag advertisements to the classes of advertisements which may be displayed without prior application for consent. Regulation 4 makes minor alterations in the provisions of the 1948 Regulations in regard to consultations which local planning authorities are required to undertake.

The Town and Country Planning (Development by Local Planning Authorities) Regulations, 1951

1951 No. 2069

Made - - - -	28*th November*, 1951
Laid before Parliament	29*th November*, 1951
Coming into Operation	10*th December*, 1951

HLG 2165

The Minister of Housing and Local Government, in exercise of the powers conferred on him by subsection (3) of Section 35 of the Town and Country Planning Act, 1947(a), and of all other powers enabling him in that behalf hereby makes the following Regulations:—

Citation and commencement, and revocation of previous Regulations

1.—(1) These Regulations may be cited as the Town and Country Planning (Development by Local Planning Authorities) Regulations, 1951 and shall come into operation on the tenth day of December, 1951.

(2) The Town and Country Planning (Development by Local Planning Authorities) Regulations, 1948(b) are hereby revoked: provided that any notification or direction given under Regulation 3 of those Regulations in

(a) 10 & 11 Geo. 6 c. 51. (b) S.I. 1948 (No. 2302) I, p. 4171.

relation to any development shall continue to have effect under that Regulation, and any application made in pursuance of such a direction may be determined accordingly.

Interpretation

2.—(1) In these Regulations:

"the Act" means the Town and Country Planning Act, 1947;

"the Minister" means the Minister of Housing and Local Government.

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

Development permissions

3. In relation to the development by local authorities of land in respect of which they are the local planning authority, the provisions of Part III of the Act (including subsection (2) of Section 35 and the Fifth Schedule) shall have effect subject to the exceptions and modifications prescribed in the next two succeeding Regulations.

4.—(1) Where the authority require a permission for the development of land which is not granted by a development order (other than a permission for development which does not accord with the provisions of the development plan), such permission shall, subject to the provisions of the next succeeding Regulation, be deemed to be granted by the Minister unless in the case of any particular development the Minister requires the authority to make an application to him for permission.

(2) If the Minister requires the authority to make an application for permission in accordance with the preceding paragraph, or if the authority seek a permission for development which does not accord with the provisions of the development plan, the application shall be made in the form of an application to the local planning authority, and shall be deemed to have been referred to the Minister under Section 15 of the Act, and the provisions of that Section shall apply to the determination of the application by the Minister.

(3) A permission deemed to be granted by virtue of paragraph (1) of this Regulation shall be treated as if, for the purposes of Part III of the Act, it had been granted on an application, and as if it had been granted on the date of the authority's resolution to carry out the development.

(4) For the purposes of this Regulation development which does not accord with the provisions of the development plan shall not include such development for which the local planning authority may grant permission by virtue of a development order or a direction given by the Minister thereunder.

5.—(1) Subsection (4) of Section 14 of the Act (under which a certificate of the Board of Trade is required in relation to development consisting of industrial buildings) and subsection (5) of that Section (which provides for the keeping of a register with respect to applications for permission) shall apply as if an application were required to be made to the Minister under these Regulations and those provisions applied to that application.

(2) The authority shall consult with, or furnish information to, other authorities or persons in any case where, if an application had been made to them in respect of the development, they would have been required to do so before dealing with the application.

(a) 52 & 53 Vict. c. 63.

(3) Where under the last preceding paragraph the authority are required to consult with any other authority or person, they shall give notice to such authority or person that a proposal to carry out the development is to be considered and shall not resolve to carry out such development except after 14 days from the giving of such notice and after taking into account any representations received from such authority or person.

(4) In any case in which directions have been given to the local planning authority restricting the grant of permission by them, the authority shall observe the terms of such directions in relation to any development projected by them, or shall make an application for permission to the Minister, accompanied by a statement giving short particulars of such directions, and paragraph (2) of the preceding Regulation shall apply to such application as if the Minister had required it to be made.

Other consents

6.—(1) Where an authority require any consent or approval of the local planning authority under Part III of the Act other than a permission for development, and that authority are themselves the local planning authority to which the application for such consent or approval should be made, such application shall be made to the Minister and his decision thereon shall be final and shall take the place of the decision of the local planning authority.

(2) Where a local planning authority propose to execute or cause or permit to be executed any works for the demolition, alteration or extension of a building listed under Section 30 of the Act the notice required under subsection (6) of that Section shall be given to the Minister instead of to the local planning authority, and references in that Section to the local planning authority shall be construed as if they were references to the Minister.

Delegate councils

7. These Regulations shall not apply to a council to which the functions of a local planning authority have been delegated but any such council shall notwithstanding such delegation apply to the local planning authority for any permission consent or approval hereinbefore referred to and shall give to the local planning authority any notice required under subsection (6) of Section 30 of the Act, as if the delegation to the said council had not been made.

Purchase notices and compensation

8. No claim shall be made and no purchase notice served by an authority, in relation to land in respect of which they are the local planning authority, under the following Sections and paragraphs of the Act:—

Section 19 (which entitles the owner of land, on refusal of permission, to require the council of the county borough or county district to purchase his interest) or that Section as applied by a building preservation order;

Section 20 (which entitles the owner of an interest in land to compensation on refusal of permission);

Section 22 (which entitles a person interested in the land to claim compensation for revocation or modification of a permission);

Section 27 (which entitles any person to claim compensation who has suffered damage from an order requiring a use to be discontinued or a building removed);

paragraph (*d*) of subsection (1) of Section 28 (relating to provisions for compensation in tree preservation orders);

paragraph (*c*) of subsection (2) of Section 29 (relating to provisions for compensation in building preservation orders);

and paragraphs 1 (3), 2 (2), 3 (3) and 4 (3) of the Fifth Schedule (relating to compensation in respect of operational land).

Given under the Official Seal of the Minister of Housing and Local Government this twenty-eighth day of November, one thousand nine hundred and fifty-one.

Harold Macmillan,
Minister of Housing and Local Government.

EXPLANATORY NOTE

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

These Regulations are made under Section 35 (3) of the Town and Country Planning Act, 1947, which provides that where a local planning authority owns land, or wishes to develop land, for which it is itself the local planning authority, Part III of the Act (which includes the power of the local planning authority to grant permission to develop land and the power of the Minister to direct a local planning authority to refer any application for such permission to the Minister for determination) shall have effect subject to such exceptions and modifications as are prescribed by Regulations. They replace the Town and Country Planning (Development by Local Planning Authorities) Regulations, 1948 (S.I. 1948, No. 2302).

The main exceptions and modifications made by the Regulations are—(1) that unless in a particular case the Minister requires an application for permission to be made to him an authority requiring permission to develop land for which they are the local planning authority shall obtain such permission, not on an application to themselves, but on passing a resolution to carry out the development; (2) that any other applications for consent or approval by a local planning authority in relation to land which they own or wish to develop shall be made to the Minister, whose decision shall be final; and (3) that compensation in cases of refusal or revocation of planning permission, and in other kindred cases, shall not be claimed by an authority in respect of land for which they are the local planning authority.

The Town and Country Planning (National Coal Board) Regulations, 1951

1951 No. 716

Made - - - -	*24th April*, 1951
Laid before Parliament	*25th April*, 1951
Coming into Operation	*1st May*, 1951

L.G.P. 265

The Minister of Local Government and Planning and the Minister of Fuel and Power in exercise of the powers conferred on them by Section 90 of the Town and Country Planning Act, 1947(a), and of all other powers

(a) 10 & 11 Geo. 6. c. 51.