



Town and Country Planning Act 1971

1971 CHAPTER 78

PART V

ENFORCEMENT OF CONTROL UNDER PARTS III AND IV

Other controls

108 Enforcement of orders under s.51

- (1) Where, by virtue of an order under section 51 of this Act, the use of land for any purpose is required to be discontinued, or any conditions are imposed on the continuance thereof, then if any person, without the grant of planning permission in that behalf, uses the land for that purpose or, as the case may be, uses the land for that purpose in contravention of those conditions, or causes or permits the land to be so used, he shall be guilty of an offence, and shall be liable on summary conviction to a fine not exceeding £400 or on conviction on indictment to a fine; and if the use is continued after the conviction, he shall be guilty of a further offence and liable—
 - (a) on summary conviction to a fine not exceeding £50 for each day on which the use is so continued; or
 - (b) on conviction on indictment to a fine.
- (2) If, within the period specified in that behalf in an order under section 51 of this Act, any steps required by that order to be taken for the alteration or removal of any buildings or works have not been taken, the local planning authority may, and shall if so required by directions of the Secretary of State, enter the land and take those steps; and section 276 of the Public Health Act 1936 shall apply in relation to any works executed by a local planning authority under this subsection as it applies in relation to works executed by a local authority under that Act.

109 Enforcement of control as to advertisements

- (1) The matters for which provision may be made by regulations under section 63 of this Act shall include provision for enabling the local planning authority to require

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the removal of any advertisement which is being displayed in contravention of the regulations, or the discontinuance of the use for the display of advertisements of any site which is being so used in contravention of the regulations, and for that purpose for applying any of the provisions of this Part of this Act with respect to enforcement notices or the provisions of section 177 of this Act, subject to such adaptations and modifications as may be specified in the regulations.

- (2) Without prejudice to any provisions included in regulations made under section 63 of this Act by virtue of subsection (1) of this section, if any person displays an advertisement in contravention of the provisions of the regulations he shall be guilty of an offence and liable on summary conviction to a fine of such amount as may be prescribed by the regulations, not exceeding £100 and, in the case of a continuing offence, £5 for each day during which the offence continues after conviction.
- (3) For the purposes of subsection (2) of this section, and without prejudice to the generality thereof, a person shall be deemed to display an advertisement if—
- (a) the advertisement is displayed on land of which he is the owner or occupier; or
 - (b) the advertisement gives publicity to his goods, trade, business or other concerns:

Provided that a person shall not be guilty of an offence under that subsection by reason only that an advertisement is displayed on land of which he is the owner or occupier, or that his goods, trade, business or other concerns are given publicity by the advertisement, if he proves that it was displayed without his knowledge or consent.