



# Planning Act 2008

## 2008 CHAPTER 29

### PART 12

#### FINAL PROVISIONS

##### *Service of notices and other documents*

#### **229 Service of notices: general**

- (1) A notice or other document required or authorised to be served, given or supplied under this Act may be served, given or supplied in any of these ways—
- (a) by delivering it to the person on whom it is to be served or to whom it is to be given or supplied,
  - (b) by leaving it at the usual or last known place of abode of that person or, in a case where an address for service has been given by that person, at that address,
  - (c) by sending it by post, addressed to that person at that person's usual or last known place of abode or, in a case where an address for service has been given by that person, at that address,
  - (d) by sending it in a prepaid registered letter, or by the recorded delivery service, addressed to that person at that person's usual or last known place of abode or, in a case where an address for service has been given by that person, at that address,
  - (e) in a case where an address for service using electronic communications has been given by that person, by sending it using electronic communications, in accordance with the condition set out in subsection (2), to that person at that address,
  - (f) in the case of an incorporated company or body—
    - (i) by delivering it to the secretary or clerk of the company or body at their registered or principal office,
    - (ii) by sending it by post, addressed to the secretary or clerk of the company or body at that office,

---

*Status: This is the original version (as it was originally enacted).*

---

- (iii) by sending it in a prepaid registered letter or, or by the recorded delivery service, addressed to the secretary or clerk of the company or body at that office.
- (2) The condition mentioned in subsection (1)(e) is that the notice or other document must be—
  - (a) capable of being accessed by the person mentioned in that provision,
  - (b) legible in all material respects, and
  - (c) in a form sufficiently permanent to be used for subsequent reference.
- (3) For the purposes of subsection (2), “legible in all material respects” means that the information contained in the notice or document is available to that person to no lesser extent than it would be if served, given or supplied by means of a notice or document in printed form.
- (4) Subsection (1)(c), (e) and (f)(ii) do not apply to the service, giving or supply of any of the following—
  - (a) notice under section 53(4)(b);
  - (b) a compulsory acquisition notice under section 134;
  - (c) notice under section 163(3);
  - (d) an information notice under section 167;
  - (e) a notice of unauthorised development under section 169.
- (5) This section is without prejudice to section 233 of the Local Government Act 1972 (c. 70) (general provisions as to service of notices by local authorities).
- (6) This section is subject to any contrary provision made by or under this Act.

### **230 Service of documents to persons interested in or occupying premises**

- (1) Subsection (2) applies if—
  - (a) a notice or document is required or authorised to be served on or given or supplied to any person as having an interest in premises, and the name of that person cannot be ascertained after reasonable inquiry, or
  - (b) a notice or document is required or authorised to be served on or given or supplied to any person as an occupier of premises.
- (2) The notice or document is to be taken to be duly served, given or supplied if either the condition in subsection (3) or the condition in subsection (4) is met.
- (3) The condition is that the notice or document—
  - (a) is addressed to the person either by name or by the description of “the owner” or, as the case may be, “the occupier” of the premises (describing them), and
  - (b) is delivered or sent—
    - (i) in the case of a notice mentioned in section 229(4), in the manner specified in section 229(1)(a), (b) or (d), and
    - (ii) in any other case, in the manner specified in section 229(1)(a), (b), (c) or (d).
- (4) The condition is that the notice or document is so addressed and is marked in such a manner as may be prescribed for securing that it is plainly identifiable as an important communication and—

- (a) it is sent to the premises in a prepaid registered letter or by the recorded delivery service and is not returned to the authority sending it, or
  - (b) it is delivered to a person on those premises, or is affixed conspicuously to an object on those premises.
- (5) Subsection (6) applies if—
- (a) a notice or other document is required to be served on or given or supplied to all persons who have interests in or are occupiers of premises comprised in any land, and
  - (b) it appears to the authority required or authorised to serve, give or supply the notice or other document that any part of that land is unoccupied.
- (6) The notice or other document is to be taken to be duly served on or given or supplied to all persons having interests in, and on any occupiers of, premises comprised in that part of the land (other than a person who has given to that authority an address for the service of the notice or document on him) if—
- (a) it is addressed to “the owners and any occupiers” of that part of the land (describing it), and
  - (b) it is affixed conspicuously to an object on the land.
- (7) This section is subject to any contrary provision made by or under this Act.

### **231 Service of notices on the Crown and Parliament**

- (1) Any notice or other document required under this Act to be served on or given or supplied to the Crown must be served on or given or supplied to the appropriate Crown authority.
- (2) Sections 229 and 230 do not apply for the purposes of the service, giving or supply of such a notice or document.
- (3) For the purposes of this section “the Crown” includes—
  - (a) the Duchy of Lancaster;
  - (b) the Duchy of Cornwall;
  - (c) the Speaker of the House of Lords;
  - (d) the Speaker of the House of Commons;
  - (e) the Corporate Officer of the House of Lords;
  - (f) the Corporate Officer of the House of Commons.