
WELSH STATUTORY INSTRUMENTS

2003 No. 394

The Town and Country Planning (Enforcement Notices and Appeals) (Wales) Regulations 2003

PART 2

ENFORCEMENT NOTICES UNDER SECTION 172

Additional matters to be specified in enforcement notice

- 3.** An enforcement notice issued under section 172 of the Planning Act must specify—
- (a) the reasons why the local planning authority consider it expedient to issue the notice;
 - (b) all policies and proposals in the development plan which are relevant to the decision to issue an enforcement notice; and
 - (c) the precise boundaries of the land to which the notice relates, whether by reference to a plan or otherwise.

Explanatory note to accompany copy of enforcement notice

- 4.** Every copy of an enforcement notice served by a local planning authority under section 172(2) of the Planning Act must be accompanied by an explanatory note which must include the following—
- (a) a copy of sections 171A, 171B and 172 to 177 of the Planning Act, or a summary of those sections including the following information—
 - (i) that there is a right of appeal to the National Assembly against that enforcement notice;
 - (ii) that an appeal can only be made by giving written notice of the appeal to the National Assembly before the date specified in the enforcement notice as the date on which it is to take effect or by sending such notice to the National Assembly in a properly addressed, pre-paid letter posted to it at such time that, in the ordinary course of post, it would be received by it before that date;
 - (iii) the grounds on which an appeal may be brought under section 174 of the Planning Act;
 - (iv) the fee payable under regulation 10 of the Town and Country Planning (Fees for Applications and Deemed Applications) Regulations 1989⁽¹⁾ for the deemed application for planning permission for the development alleged to be in breach of planning control in the enforcement notice;
 - (b) notification that an appellant must send to the National Assembly, either when giving notice of appeal or within 14 days from the date on which the National Assembly sends to the appellant a notice so requiring, a statement in writing specifying the grounds on which

⁽¹⁾ S.I. 1989/193, as amended by S.I. 1991/2735 and to which there other amendments not relevant to these Regulations.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

the appellant is appealing against the enforcement notice and stating briefly the facts on which the appellant proposes to rely in support of each of those grounds; and

- (c) a list of the names and addresses of the persons on whom a copy of the enforcement notice has been served.