



Statutory Document No. 255/05

THE TOWN AND COUNTRY PLANNING ACT 1999

**THE TOWN AND COUNTRY PLANNING (REGISTERS) REGULATIONS 2005**

*Approved by Tynwald*

*17<sup>th</sup> May 2005*

*Coming into operation*

*1<sup>st</sup> November 2005*

In exercise of the powers conferred on the Department of Local Government and the Environment by sections 41(1) and 45(1) of the Town and Country Planning Act 1999<sup>1</sup>, and of all other enabling powers, the following Regulations are hereby made:—

**1. Citation, commencement and interpretation**

(1) These Regulations may be cited as the Town and Country Planning (Registers) Regulations 2005 and, subject to section 44(1) of the Act, shall come into operation on 1<sup>st</sup> November 2005.

(2) In these Regulations —

"the Act" means the Town and Country Planning Act 1999;

"the Minister" means the Minister for Local Government and the Environment;

"register" means a register required to be kept by section 41(1) of the Act.

**2. Contents of registers of planning applications etc.**

(1) This regulation applies to registers with respect to —

(a) applications for planning approval;

(b) applications for any such approval as is mentioned in section 10(6)(d) of the Act (approval of reserved matters) and any other approval required by a condition imposed on the grant of planning approval;

(c) applications under section 10(3) (variation or discharge of conditions);

(d) the manner in which applications referred to in sub-paragraphs (a) to (c) have been dealt with.

(2) A register shall contain —

(a) a copy of every application referred to in paragraph (1)(a), (b) or (c), together with any accompanying plans and drawings;

(b) particulars of any direction given by the Council of Ministers under section 11(1) of the Act in respect of the application;

---

<sup>1</sup> 1999 c.9

- (c) a copy of the notice of the decision, if any, of the Department or the Council of Ministers in respect of the application, including details of any conditions subject to which planning approval was granted, the date of such decision, by whom it was granted and whether or not on an appeal;
- (d) if the decision was made on an appeal to the Minister, a copy of the report of the appointed person in relation to the appeal;
- (e) in the case of an application for planning approval, a reference to the entry in the register relating to any application mentioned in paragraph (1)(b) or (c) relevant to that approval and the date of the decision on any such application.

**3. Contents of registers of applications for registered building consent etc.**

- (1) This regulation applies to registers with respect to —
  - (a) applications for consent to the demolition or alteration of registered buildings, buildings the subject of building preservation notices and buildings in conservation areas;
  - (b) applications for any approval required by a condition imposed on the grant of registered building consent;
  - (c) applications under paragraph 3 of Schedule 3 to the Act (variation or discharge of conditions);
  - (d) the manner in which applications referred to in sub-paragraphs (a) to (c) have been dealt with.
- (2) A register shall contain —
  - (a) a copy of every application referred to in paragraph (1)(a), (b) or (c), together with any accompanying plans and drawings;
  - (d) a copy of the notice of the decision, if any, of the Department or the Council of Ministers in respect of the application, including details of any conditions subject to which registered building consent was granted, the date of such decision, by whom it was granted and whether or not on an appeal;
  - (d) if the decision was made on an appeal to the Minister, a copy of the report of the appointed person in relation to the appeal;
  - (e) in the case of an application for registered building consent, a reference to the entry in the register relating to any application mentioned in paragraph (1)(b) or (c) relevant to that approval and the date of the decision on any such application.

**4. Contents of registers of building preservation notices**

- (1) This regulation applies to registers with respect to building preservation notices.
- (2) A register shall contain —
  - (a) a copy of every building preservation notice;
  - (b) the date on which it came into force;

- (c) a description of the building in question sufficient to enable it to be identified;
  - (d) the nature of the special architectural or historic interest of the building (including any matters taken into account by the Department under section 14(2) of the Act).
- (3) All entries relating to a building preservation notice shall be removed from the register if the notice ceases to be in force.

## **5. Contents of registers of certificates**

(1) This regulation applies to registers with respect to certificates under section 24 of the Act (certificates of lawfulness of existing or proposed use or development).

- (2) A register shall contain —
- (a) the name and address of the applicant for such a certificate;
  - (b) the date of the application;
  - (c) the address or location of the land to which the application relates;
  - (d) the description of the use, operations or other matter included in the application;
  - (e) the decision, if any, of the Department in respect of the application and the date of such decision; and
  - (f) a copy of the certificate, if any.

## **6. Contents of register of enforcement and stop notices**

(1) This regulation applies to registers of enforcement notices, stop notices and registered building enforcement notices.

(2) A register shall contain the following information with respect to every enforcement notice —

- (a) the address of the land to which the notice relates or a plan by reference to which its situation can be ascertained;
- (b) the date of issue of the notice;
- (c) the date of service of copies of the notice;
- (d) a statement or summary of the breach of planning control alleged and the requirements of the notice, including the period within which any required steps are to be taken;
- (e) the period specified in the notice as the period on the expiration of which it is to take effect;
- (f) information on any extension of that period under paragraph 6 of Schedule 4 to the Act;
- (g) information on any variation of the notice on an appeal to the High Bailiff under paragraph 10 of that Schedule;
- (h) the date of service and, if applicable, of withdrawal of any stop notice referring to the enforcement notice, together with a statement or summary of the activity prohibited by any such stop notice.

(3) All entries relating to an enforcement notice or stop notice shall be removed from the register if the relevant enforcement notice is —

- (a) quashed by the High Bailiff, or
- (b) withdrawn.

## **7. Contents of register of registered building enforcement notices**

(1) This regulation applies to registers of registered building enforcement notices.

(2) A register shall contain the following information with respect to every registered building enforcement notice —

- (a) a description of the building to which it relates sufficient to enable it to be identified, including a reference to the relevant entry in the Protected Buildings Register;
- (b) the date of issue of the notice;
- (c) the date of service of copies of the notice;
- (d) a statement or summary of the contravention alleged and the requirements of the notice, including the period within which any required steps are to be taken;
- (e) the period specified in the notice as the period on the expiration of which it is to take effect;
- (f) information on any extension of that period under paragraph 5 of Schedule 5 to the Act;
- (g) information on any variation of the notice on an appeal to the High Bailiff under paragraph 8 of that Schedule.

(3) All entries relating to a registered building enforcement notice shall be removed from the register if the notice is —

- (a) quashed by the High Bailiff, or
- (b) withdrawn.

## **8. Indexes**

Every register shall include an index for enabling a person to trace any entry in the register by reference to the address of the land or building to which the entry relates.

MADE 19<sup>th</sup> April 2005

*John Rimington*

Minister for Local Government and the Environment

---

EXPLANATORY NOTE

*(This note is not part of the Regulations.)*

These Regulations prescribe the information to be entered in the registers required to be kept by the Department of Local Government and the Environment under section 41 of the Town and Country Planning Act 1999.