

2006 No. 2227

TOWN AND COUNTRY PLANNING, ENGLAND

**The Town and Country Planning (Determination of Appeals by
Appointed Persons) (Prescribed Classes) (Amendment)
(England) Regulations 2006**

<i>Made</i> - - - -	<i>14th August 2006</i>
<i>Laid before Parliament</i>	<i>22nd August 2006</i>
<i>Coming into force</i> - -	<i>1st October 2006</i>

The Secretary of State, in exercise of the powers conferred by section 93 of, and paragraph 1 of Schedule 3 to, the Planning (Listed Buildings and Conservation Areas) Act 1990 (a), makes the following Regulations:

Citation, commencement and application

1.—(1) These Regulations may be cited as the Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) (Amendment) (England) Regulations 2006 and shall come into force on 1st October 2006.

(2) These Regulations apply in relation to England only.

Amendment of the Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) Regulations 1997

2.—(1) The Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) Regulations 1997(b) are amended as follows.

(2) In regulation 4 (classes of appeal reserved for determination by the Secretary of State), omit paragraphs (d) and (e).

Saving

3. These Regulations do not apply to any appeal in respect of which notice of appeal was given before these Regulations come into force.

Signed by authority of the Secretary of State

14th August 2006

Kay Andrews
Parliamentary Under Secretary of State
Department for Communities and Local Government

(a) 1990 c.9.
(b) S.I. 1997/420.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Determination of Appeals by Appointed Persons) (Prescribed Classes) Regulations 1997 (“the principal Regulations”). The principal Regulations prescribe the classes of appeal which are to be determined by persons appointed by the Secretary of State (in accordance with the provisions of Schedule 6 to the Town and Country Planning Act 1990 and Schedule 3 to the Planning (Listed Buildings and Conservation Areas) Act 1990) instead of being determined by the Secretary of State. Certain classes of case within those prescribed classes of appeal continue to be determined by the Secretary of State.

These Regulations amend the principal Regulations by excluding from the reserved classes of appeal listed building consent appeals and listed building enforcement notice appeals concerned with Grade I and II* listed buildings. These will now be determined by a person appointed by the Secretary of State.

A full regulatory impact assessment has been prepared in relation to these Regulations. It has been placed in the Library of each House of Parliament and is available on the internet at www.communities.gov.uk. Copies can also be obtained by post from the Planning Central Casework Division, Department for Communities and Local Government, Eland House, Bressenden Place, London SW1E 5DU.

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