
STATUTORY INSTRUMENTS

2020 No. 731

TOWN AND COUNTRY PLANNING, ENGLAND

**The Town and Country Planning (Local Planning)
(England) (Coronavirus) (Amendment) Regulations 2020**

Made - - - - 13th July 2020
Laid before Parliament 15th July 2020
Coming into force in accordance with regulation 1(2)

The Secretary of State, in exercise of the powers conferred by sections 36(1) and (2)(d) and (1) and 122(3)(b) of the Planning and Compulsory Purchase Act 2004⁽¹⁾, makes the following Regulations.

Citation and commencement

1.—(1) These Regulations may be cited as the Town and Country Planning (Local Planning) (England) (Coronavirus) (Amendment) Regulations 2020.

(2) These Regulations come into force on 16th July 2020, except for regulation 2(2) which comes into force on 12th August 2020.

Amendments to the Town and Country Planning (Local Planning) (England) Regulations 2012

2.—(1) The Town and Country Planning (Local Planning) (England) Regulations 2012⁽²⁾ are amended as follows.

(2) In regulation 35(3)(b) (availability of documents), for “113(4)” substitute “113(3B)”.

(3) After regulation 36 (copies of documents), insert—

“Coronavirus: temporary modifications of Part 9

36A.—(1) During the relevant period—

(a) regulation 35 has effect as if paragraph (1)(a) were omitted; and

(b) regulation 36 has effect as if paragraphs (1), (2) and (3)(a) were omitted.

(2) In this regulation and regulation 36B, “the relevant period” means the period beginning with 16th July 2020 and ending with 31st December 2020.

(1) 2004 c. 5; section 36 was amended by section 11(1) to (3) of the Neighbourhood Planning Act 2017 (c.20).

(2) S.I. 2012/767, as amended by S.I. 2012/2613, S.I. 2016/871 and S.I. 2017/1244.

Coronavirus: transitional provision in respect of documents made available during the relevant period

36B.—(1) Paragraph (2) applies where a local planning authority—

- (a) makes a document available in accordance with regulation 35(1)(b) during the relevant period; and
- (b) continues to make the document so available after the end of that period.

(2) As soon as reasonably practicable after the end of the relevant period, the local planning authority must also make the document available in accordance with regulation 35(1)(a) until the local planning authority ceases to be required to make the document available under these Regulations.”.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Christopher Pincher
Minister of State
Ministry of Housing, Communities and Local
Government

13th July 2020

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (Local Planning) (England) Regulations 2012 (SI 2012/767) (“the 2012 Regulations”). They come into force on 16th July 2020, except for regulation 2(2) which comes into force on 12th August 2020.

Regulation 2(2) amends regulation 35(3)(b) of the 2012 Regulations to update a reference to section 113 of the Planning and Compulsory Purchase Act 2004 (c. 5) following amendments made to that section by the Criminal Justice and Courts Act 2015 (c. 2).

Regulation 2(3) inserts new regulations 36A and 36B into the 2012 Regulations. New regulation 36A makes temporary modifications to Part 9 of the 2012 Regulations which are needed as a result of the effects of the coronavirus pandemic. The modifications will apply during the period beginning with 16th July 2020 and ending with 31st December 2020 (“the relevant period”).

New regulation 36A(1)(a) modifies regulation 35(1) of the 2012 Regulations so that a document will be taken to be made available by a local planning authority under the 2012 Regulations when it is published on the authority’s website. The modification removes the requirement on a local planning authority to make the document available for public inspection at the authority’s principal office and at such other places as the authority considers appropriate.

New regulation 36A(1)(b) modifies regulation 36 to remove the requirement on a local planning authority to provide hard copies of documents made available under regulation 35.

New regulation 36B makes transitional provision in respect of documents which are made available in accordance with regulation 35(1)(b) of the 2012 Regulations (on the local planning authority’s website) during the relevant period and which continue to be made so available after the end of that period. It provides that, as soon as reasonably practicable after the end of the relevant period, the local planning authority must also make the document available in accordance with regulation 35(1)(a) until the authority ceases to be required to make the document available under the 2012 Regulations.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.