

INFRASTRUCTURE ACT 2015

EXPLANATORY NOTES

COMMENTARY ON SECTIONS

Part 5 – Planning and Land

Mayoral Development Orders

Section 30 and Schedule 4: Mayoral development orders

154. *Section 30* gives effect to Schedule 4 and enables the Secretary of State by regulations to make consequential provision in connection with any provision made by that Schedule. Part 1 of Schedule 4 inserts new sections 61DA to 61DE into the Town and Country Planning Act 1990 (the 1990 Act) to make provision for Mayoral development orders. Part 2 of Schedule 4 makes consequential amendments to the 1990 Act.
155. New section 61DA of the 1990 Act enables the Mayor of London to make Mayoral development orders granting planning permission for specified development on a site or sites in Greater London. This is subject to any development order made by the Secretary of State under *subsection (3)* which specifies an area or class of development in respect of which a Mayoral development order may not be made.
156. New section 61DB makes provision for conditions that may be attached to planning permission granted by a Mayoral development order. A condition may require the consent, agreement or approval to a specified matter to be given by the Mayor or a relevant local planning authority (i.e. local planning authority that has within its area a site or part of a site that a Mayoral development order relates to, see *subsection (9)*). *Subsection (4)* enables the Secretary of State to make provision by development order for such consent etc. to be sought from a specified person where it is not given within a specified period (i.e. a person and period specified in the development order). Under *subsection (6)*, the Secretary of State may by development order provide for a person to apply for permission to develop land without complying with a condition of a Mayoral development order (provision may be similar to that made by section 73 of the 1990 Act, see *subsection (7)*).
157. New section 61DC sets out the procedures for preparing and making a Mayoral development order. *Subsection (1)* enables the Secretary of State to set out much of the procedure in a development order, including provision about notice, publicity and inspection by the public, consultation, the making and consideration of representations. *Subsections (3) to (5)* provide that the Mayor may only make a Mayoral development order in response to an application by each relevant local planning authority, and may only consult on a proposed order and make the final order with the consent and approval of those authorities.
158. New section 61DD makes provision for the revision or revocation of a Mayoral development order by the Mayor or by the Secretary of State. This includes a power for the Secretary of State to make further provision by development order for the procedure for revising or revoking a Mayoral development order and about the steps the Secretary of State must take before revoking, or directing the Mayor to revise, an order. New

*These notes refer to the Infrastructure Act 2015 (c.7)
which received Royal Assent on 12 February 2015*

section 61DE describes the effect of revision or revocation of an order on development that has been started but not completed. The general position is that the development may be completed (see *subsection (3)*), but this is subject to specific provision made by the Mayor or by the Secretary of State when revising or revoking the order.