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STATUTORY INSTRUMENTS

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**2018 No. 567 (C. 46)**

**TOWN AND COUNTRY PLANNING, ENGLAND**

**The Neighbourhood Planning Act 2017  
(Commencement No. 5) Regulations 2018**

*Made - - - - 3rd May 2018*

The Secretary of State, in exercise of the powers conferred by section 46(1) and (2) of the Neighbourhood Planning Act 2017<sup>(1)</sup>, makes the following Regulations:

**Citation**

1. These Regulations may be cited as the Neighbourhood Planning Act 2017 (Commencement No. 5) Regulations 2018.

**Interpretation**

2. In these Regulations—

“the 1990 Act” means the Town and Country Planning Act 1990<sup>(2)</sup>;

“the 2017 Act” means the Neighbourhood Planning Act 2017

**Provisions coming into force on 1st October 2018**

3. The following provisions of the 2017 Act come into force on 1st October 2018—

- (a) section 14(1) and (3) for the purpose only of commencing subsections (4) to (13) of section 100ZA of the 1990 Act; and
- (b) section 14(4) for the purpose only of commencing paragraphs 1, 3, 4, 5 and 8 of Schedule 3 to the 2017 Act.

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(1) 2017 c. 20.  
(2) 1990 c. 8.

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**Status:** This is the original version (as it was originally made).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

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

*Dominic Raab*  
Minister of State  
Ministry of Housing, Communities and Local  
Government

3rd May 2018

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## EXPLANATORY NOTE

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

These Regulations partially bring into force section 14 of the Neighbourhood Planning Act 2017 (c. 20) (“the 2017 Act”) on 1st October 2018.

Regulation 3 brings into force parts of section 100ZA of the Town and Country Planning Act 1990 (“the 1990 Act”) which were inserted by section 14 of the 2017 Act. Section 100ZA(5) provides that planning permission for the development of land may not be granted subject to a pre-commencement condition without the written agreement of the applicant to the terms of the condition. However, this requirement is subject to such exclusions as may be prescribed by the Secretary of State under section 100ZA(6).

Regulation 3 brings into force section 14(3) of the 2017 Act which provides that section 100ZA of the 1990 Act has effect in relation to conditions on a grant or modification of a planning permission only if the permission is granted or modified on or after the coming into force of that section.

Regulation 3 also brings into force those parts of Schedule 3 of the 2017 Act that make relevant consequential amendments to the 1990 Act.

## NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

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

The following provisions of the Neighbourhood Planning Act 2017 are brought into operation by earlier commencement regulations:

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
Section 1	19th July 2017	<a href="#">2017/767</a>
Section 2 (remainder)	31st January 2018	<a href="#">2018/38</a>
Section 3	19th July 2017	<a href="#">2017/767</a>
Section 4 (remainder)	31st January 2018	<a href="#">2018/38</a>
Section 5	31st January 2018	<a href="#">2018/38</a>
Section 6	31st July 2018	<a href="#">2018/38</a>
Section 8(1) and (3)	16th January 2018	<a href="#">2018/38</a>
Section 9 (remainder)	16th January 2018	<a href="#">2018/38</a>
Section 10	16th January 2018	<a href="#">2018/38</a>
Section 11	19th July 2017	<a href="#">2017/767</a>
Section 12 (remainder)	19th July 2017	<a href="#">2017/767</a>
Section 13(2)	31st July 2018	<a href="#">2018/38</a>
Section 14 (partially)	19th July 2017	<a href="#">2017/767</a>
Section 16	19th July 2017	<a href="#">2017/767</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. Number</i>
Section 26(8)(b)	22nd September 2017	<a href="#">2017/936</a>
Sections 29 and 30	19th July 2017	<a href="#">2017/767</a>
Sections 32 to 36	22nd September 2017	<a href="#">2017/936</a>
Section 37	19th July 2017	<a href="#">2017/767</a>
Section 38	6th April 2018	<a href="#">2018/252</a>
Section 41	19th July 2017	<a href="#">2017/767</a>
Schedule 1(remainder)	31st January 2018	<a href="#">2018/38</a>
Schedule 2 (remainder)	16th January 2018	<a href="#">2018/38</a>