
STATUTORY INSTRUMENTS

2020 No. 765

TOWN AND COUNTRY PLANNING, ENGLAND

The Town and Country Planning (Spatial Development Strategy) (Coronavirus) (Amendment) Regulations 2020

<i>Made</i>	- - - -	<i>20th July 2020</i>
<i>Laid before Parliament</i>		<i>21st July 2020</i>
<i>Coming into force</i>	- -	<i>12th August 2020</i>

The Secretary of State, in exercise of the powers conferred by sections 335(2)(b) and (d) and (7) (a), 343(1)(c) and 420(1)(b) of the Greater London Authority Act 1999(1), makes the following Regulations.

Citation and commencement

1. These Regulations may be cited as the Town and Country Planning (Spatial Development Strategy) (Coronavirus) (Amendment) Regulations 2020 and come into force on 12th August 2020.

Amendment of the Town and Country (London Spatial Development Strategy) Regulations 2000

2. In the Town and Country Planning (London Spatial Development Strategy) Regulations 2000(2), after Part 4, insert—

(1) 1999 c. 29. Part 8 of the Greater London Authority Act 1999 (c. 29) (“the 1999 Act”) applies (with certain modifications) in relation to the preparation and publication of a spatial development strategy by the Greater Manchester Combined Authority, the Liverpool City Region Combined Authority and the West of England Combined Authority (“the relevant Mayoral combined authorities”) as it applies in relation to the preparation and publication of such a strategy by the Mayor of London. Sections 343 and 420 of the 1999 Act also apply in relation to the functions of the Secretary of State to make regulations under section 343(1) with respect to the procedure to be followed by the relevant Mayoral combined authorities in connection with the preparation and publication of a spatial development strategy as they apply in relation to the functions of the Secretary of State to make such regulations in relation to the spatial development strategy published by the Mayor of London (see articles 3 and 4 of the Greater Manchester Combined Authority (Functions and Amendment) Order 2016 (S.I. 2016/1267), articles 3 and 4 of the Liverpool City Region Combined Authority (Functions and Amendment) Order 2017 (S.I. 2017/430) and articles 10 and 11 of the West of England Combined Authority Order 2017 (S.I. 2017/126)).

(2) S.I. 2000/1491, to which there are amendments not relevant to this instrument.

“PART 5

CORONAVIRUS: TEMPORARY MODIFICATIONS

Introduction and interpretation

14.—(1) During the relevant period, Parts 2 and 3 of these Regulations have effect subject to the modifications in regulations 15 to 18.

(2) In this Part, “the relevant period” means the period beginning with 12th August 2020 and ending with 31st December 2020.

Modification of regulation 9

15. Regulation 9(3)(c) (publication) has effect as if for the words from “at those places” to “public inspection” there were substituted “on the Greater London Authority’s website”.

Modification of regulation 11

16. Regulation 11 (duty to make documents available) has effect as if—

- (a) in paragraph (1), for “at the principal office” there were substituted “on the website”;
- (b) after paragraph (3), there were inserted—

“(3A) Paragraph (3) does not apply if the document is available for inspection on the Greater London Authority’s website.”;
- (c) for paragraph (4), there were substituted—

“(4) A copy of the spatial development strategy made available for inspection under regulation 9(3)(c) must remain so available until the spatial development strategy is altered or replaced.”.

Modification of regulation 12

17. Regulation 12 (availability of the spatial development strategy) has effect as if it were omitted.

Modification of the Schedule

18. In the Schedule (prescribed forms), Form 3 (notice of publication of the spatial development strategy) has effect as if—

- (a) in the second paragraph—
 - (i) after “public inspection” there were inserted “on the Greater London Authority’s website”;
 - (ii) “on (3)” were omitted;
- (b) in the notes—
 - (i) in note (2), for the words from “place” to “inspection” there were substituted “website address at which the spatial development strategy can be found”;
 - (ii) note (3) were omitted.

Transitional provision: availability of the published spatial development strategy

19.—(1) Paragraph (2) applies if the Mayor publishes a spatial development strategy under section 337(1) of the GLA Act during the relevant period.

(2) After the end of the relevant period, regulation 12(1) has effect, in relation to that strategy, as if it required the Mayor to take the necessary action as soon as reasonably practicable after the end of the relevant period.

(3) For the purposes of paragraph (2), the necessary action is action to secure that printed copies of the spatial development strategy are made available for inspection during normal office hours at the principal office of the Greater London Authority and, on payment of any reasonable fee required by the Mayor, for purchase.”.

Amendment of the Combined Authorities (Spatial Development Strategy) Regulations 2018

3. In the Combined Authorities (Spatial Development Strategy) Regulations 2018(3), after Part 3, insert—

“PART 4

CORONAVIRUS: TEMPORARY MODIFICATIONS

Introduction and interpretation

13.—(1) During the relevant period, Parts 2 and 3 of these Regulations have effect subject to the modifications in regulations 14 to 16.

(2) In this Part, “the relevant period” means the period beginning with 12th August 2020 and ending with 31st December 2020.

Modification of regulation 7

14. Regulation 7 (public participation) has effect as if—

(a) for paragraph (1), there were substituted—

“(1) The place at which the combined authority is required by section 335(2) (b) of the GLA Act (public participation) to make the proposed spatial development strategy available for inspection is on the combined authority’s website.”;

(b) in paragraph (3), for “at its principal office” there were substituted “on its website”;

(c) in paragraph (9), after “address” there were inserted “(which may be an email address)”;

(d) in paragraph (10), for the words from “at those places” to “inspection” there were substituted “on its website”.

Modification of regulation 11

15. Regulation 11 (duty to make documents available) has effect as if—

(a) in paragraph (2), “time and” were omitted;

(b) after paragraph (3), there were inserted—

(3) [S.I. 2018/827](#), to which there are amendments not relevant to this instrument.

“(3A) Paragraph (3) does not apply if the document is available for inspection on the combined authority’s website.”.

Modification of the Schedule

16. In the Schedule (prescribed forms), Form 1 (notice of deposit of a proposed spatial development strategy) has effect as if—

- (a) in the second paragraph—
 - (i) after “public inspection” there were inserted “on the website of [insert name of combined authority]”;
 - (ii) “on (2)” were omitted;
- (b) in the notes—
 - (i) in note (1), for the words from “address” to “inspection” there were substituted “website address at which the documents can be found”;
 - (ii) note (2) were omitted;
 - (iii) in note (3), after “address” there were inserted “(which may be an email address)”.

Transitional provision: places at which a proposed spatial development strategy can be inspected

- 17.—**(1) Paragraph (2) applies if a combined authority—
- (a) makes a proposed spatial development strategy available for inspection on its website under regulation 7(1) (as modified by this Part) during the relevant period; and
 - (b) after the end of that period, continues to be required to make the proposed strategy available for inspection under regulation 11(2).
- (2) After the end of the relevant period—
- (a) regulation 11(2) has effect, in relation to the proposed strategy, as modified by this Part;
 - (b) the combined authority must, as soon as reasonably practicable, also make the proposed strategy available for inspection, during normal office hours, at the places specified in regulation 7(1)(a) until the expiry of the period referred to in regulation 11(2).

Transitional provision: places at which other documents can be inspected

18.—(1) Paragraph (2) applies if a combined authority makes a proposed spatial development strategy available for inspection on its website under regulation 7(1) (as modified by this Part) during the relevant period.

(2) After the end of the relevant period, for the purposes of the specified regulations, the proposed spatial development strategy is to be treated as if it had also been made available during the relevant period at the principal office of the combined authority and such other places within the combined authority area as the combined authority considers appropriate.

- (3) For the purposes of paragraph (2), the specified regulations are—
- (a) regulation 7(10);
 - (b) regulation 8(2)(a) and (9)(a);

(c) regulation 9(3)(c).”.

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

20th July 2020

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

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

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Town and Country Planning (London Spatial Development Strategy) Regulations 2000 (S.I. 2000/1491) (“the 2000 Regulations”) and the Combined Authorities (Spatial Development Strategy) Regulations 2018 (S.I. 2018/827) (“the 2018 Regulations”). They come into force on 12th August 2020.

Regulation 2 inserts a new Part 5 into the 2000 Regulations. Part 5 makes temporary modifications to Parts 2 and 3 of the 2000 Regulations which are needed as a result of the effects of the coronavirus pandemic. The modifications will apply during the period beginning with 12th August 2020 and ending with 31st December 2020.

New regulation 15 modifies regulation 9(3)(c) of the 2000 Regulations to provide that the Mayor of London is required to make his spatial development strategy (and the other documents listed in paragraph (3)(c)) available for inspection on the website of the Greater London Authority (“the GLA”).

New regulation 16 similarly modifies regulation 11 of the 2000 Regulations to provide that where a direction given by the Secretary of State is required to be made available for inspection under regulation 11(1), this is to be on the GLA’s website. It also temporarily disapplies regulation 11(3), which requires copies of documents to be made available on request, if the document is available for inspection on the GLA’s website.

New regulation 16 also modifies regulation 11(4) to provide that where a spatial development strategy is made available on the GLA’s website under regulation 9(3)(c) it is to remain so available, whilst these temporary modifications are in place, until such time as it is altered or replaced.

New regulation 17 temporarily disapplies regulation 12 of the 2000 Regulations.

New regulation 18 makes minor modifications to Form 3 (notice of publication of the spatial development strategy) in the Schedule to the 2000 Regulations to reflect that the strategy would be available for inspection on the GLA’s website (rather than at premises).

New regulation 19 makes transitional provision to provide that where the Mayor of London publishes a spatial development strategy during the period in which the temporary modifications apply, after this period has ended, he is required to comply with regulation 12(1) of the 2000 Regulations.

Regulation 3 inserts a new Part 4 into the 2018 Regulations. Part 4 makes temporary modifications to Parts 2 and 3 of the 2018 Regulations which are again needed as a result of the effects of the coronavirus pandemic. The modifications will apply during the period beginning with 12th August 2020 and ending with 31st December 2020.

New regulation 14 modifies regulation 7(1) and (3) of the 2018 Regulations to require a proposed spatial development strategy to be made available on the combined authority’s website and the website of the local planning authority for each constituent council of the combined authority. Regulation 7(9) and (10) are also modified to ensure that any representations in respect of the proposed strategy can be sent by email to the combined authority and must be made available on the combined authority’s website.

New regulation 15 temporarily disapplies regulation 11(3), which requires copies of documents to be made available on request, if the document is available for inspection on the combined authority’s website.

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New regulation 16 makes minor modifications to Form 1 (notice of deposit of a proposed spatial development strategy) in the Schedule to the 2018 Regulations to reflect that the proposed strategy would be available for inspection on the combined authority's website only and representations can be sent to an email address.

New regulation 17 makes transitional provision in relation to a proposed spatial development strategy which is made available for inspection on a combined authority's website during the period in which the temporary modifications apply. If after the end of this period the proposed strategy is still required to be made available under regulation 11(2), then as soon as reasonably practicable, the combined authority must also make it available at the places specified in regulation 7(1)(a) until the expiry of the period set out in regulation 11(2).

New regulation 18 makes further transitional provision in relation to a proposed spatial development strategy which is made available for inspection on a combined authority's website during the period in which the temporary modifications apply. It provides that, after the end of that period, for the purposes of other regulations which refer to the places at which the proposed strategy was made available, the proposed strategy is to be treated as having also been made available at the principal office of the combined authority and such other places within the combined authority area as the combined authority considers appropriate.

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.