Planning Applications (Appeals by Town and Parish Councils) Bill

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A BILL

TO

Allow town and parish councils the right to appeal against the granting of planning permission in their area in certain circumstances; to make provisions for Wales; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Rights of town and parish councils to appeal against the granting of planning permission

(1) A town or parish council shall have the right to appeal against the granting of planning permission in its area in the circumstances stated in subsection (2).

(2) The circumstances referred to in subsection (1) are—

(a) that the town or parish council has recommended on planning grounds that an application for planning permission in their area should be rejected by the local planning authority; and

(b) the local planning authority has granted the application.

(3) In this section a recommendation on planning grounds means a recommendation based upon—

(a) material considerations as specified by planning law; or

(b) any other considerations that may be specified in regulations by the Secretary of State.

(4) A statutory instrument containing regulations under this section is subject to annulment in pursuance of a resolution of either House of Parliament.

(5) Any appeal pursuant to this Act must be made within 6 weeks of the granting of the application.

(6) The costs of any appeal made pursuant to this section shall be paid by the unsuccessful party.
2 **Application to Wales**

The Welsh Assembly may make a statutory instrument applying this Act to town and community councils, subject to such modifications as may be specified in the instrument.

3 **Short title, commencement and extent**

(1) This Act may be cited as the Planning Applications (Appeals by Town and Parish Councils) Act 2012.

(2) This Act comes into force on the day on which it is passed.

(3) This Act extends to England and Wales.
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A

BILL

To allow town and parish councils the right to appeal against the granting of planning permission in their area in certain circumstances; to make provisions for Wales; and for connected purposes.

Presented by Martin Caton, supported by Philip Davies, Mr Elfyn Llwyd, Andrew George, Caroline Lucas, Bob Blackman, Paul Flynn, Kate Hoey, Robert Halfon, Steve McCabe, Kelvin Hopkins and Sir Bob Russell.

Ordered, by The House of Commons, to be Printed, 6 March 2012.