

Local Services (Planning) Bill

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TO

Enable local planning authorities to require the granting of planning permission prior to the demolition or change of use of premises or land used or formerly used as a public house or local independent shop; to enable local planning authorities to require the granting of planning permission if premises or land will be used for a supermarket; 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 Power for local planning authorities to require the granting of planning permission

- (1) The Town and Country Planning Act 1990 is amended as follows.
- (2) After section 57 insert—

“57A Power for local planning authorities to require the granting of planning permission 5

A local planning authority may adopt a planning policy such that planning permission is required in any of the following circumstances—

- (a) prior to the demolition or change of use of premises or land used or formerly used within the proceeding four years as—
 - (i) a public house, or
 - (ii) a local independent shop, or
- (b) if premises or land will be used for a supermarket.” 10

2 Definition of local independent shop and supermarket 15

For the purposes of this Act “supermarket” and “local independent shop” shall be defined in accordance with regulations made by the Secretary of State.

3 Definition of public house

- (1) For the purposes of this Act public house shall be defined in accordance with regulations made by the Secretary of State.
- (2) Regulations under subsection (1) shall be framed so as to include all premises licensed for the supply of alcohol for consumption on the premises under the Licensing Act 2003. 5

4 Regulations

- (1) Any matter to be prescribed under this Act must be prescribed in regulations made by the Secretary of State.
- (2) Any power of the Secretary of State to make regulations under this Act is exercisable by statutory instrument. 10
- (3) Any power of the Secretary of State to make regulations under this Act includes powers to make such transitional, incidental or supplemental provision as the Secretary of State may consider appropriate.
- (4) Regulations made by the Secretary of State under this Act are subject to annulment in pursuance of a resolution of either House of Parliament. 15

5 Interpretation

In this Act—

- “local planning authority” has the meaning given in Part 1 of the Town and Country Planning Act 1990; 20
- “planning permission” has the meaning given in Part 3 of the Town and Country Planning Act 1990.

6 Short title, commencement and extent

- (1) This Act may be cited as the Local Services (Planning) Act 2012.
- (2) This Act comes into force at the end of the period of 2 months beginning with the day on which it is passed. 25
- (3) This Act extends to England and Wales.

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To enable local planning authorities to require the granting of planning permission prior to the demolition or change of use of premises or land used or formerly used as a public house or local independent shop; to enable local planning authorities to require the granting of planning permission if premises or land will be used for a supermarket; and for connected purposes.

*Ordered to be brought in by Dr Julian Huppert,
Caroline Lucas, Tim Farron,
Greg Mulholland, Simon Wright,
Mr John Leech, Sir Peter Bottomley,
Grahame M. Morris, Jim Dowd,
Andrew Stephenson, Nicola Blackwood
and Jonathan Reynolds.*

*Ordered, by The House of Commons,
to be Printed, 10 July 2012.*

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