“Planning freedoms: right for local areas to request alterations to planning system

(1) If the following conditions are met, the Secretary of State may by regulations make a planning freedoms scheme, having effect for a specified period, in relation to a specified planning area.

A “planning freedoms scheme” is a scheme that disapplies or modifies specified planning provisions in order to facilitate an increase in the amount of housing in the planning area concerned

(2) The first condition is that the relevant planning authority or authorities have requested the Secretary of State to make a planning freedoms scheme for their area.

(3) The second condition is that the Secretary of State is satisfied—

(a) that there is a need for a significant increase in the amount of housing in the planning area concerned,

(b) that the planning freedoms scheme will contribute to such an increase, and

(c) that adequate consultation has been carried out.

(4) The third condition is that—

(a) the relevant planning authority or authorities have prepared a summary of the views expressed in the consultation referred to at subsection (3)(c), and

(b) the Secretary of State has considered that summary.
(5) For the purposes of subsection (3)(c) consultation is “adequate” only if—
   (a) the relevant authority or authorities publish an explanation of what the
       proposed planning freedoms scheme is expected to involve, and
   (b) persons in the planning area concerned, and other persons likely to be
       affected, have a reasonable opportunity to communicate their views
       about the proposed scheme.

(6) The Secretary of State may decide to restrict the number of planning freedoms
    schemes in force at any one time (and accordingly is not required to make a
    scheme merely because the conditions in this section are met).

(7) The Secretary of State may by regulations bring a planning freedoms scheme to
    an end, and must do so if the relevant planning authority or, as the case may
    be, any of the relevant planning authorities so request.

(8) In this section—
    “planning area” means the area of a local planning authority, or an area
    comprising two or more adjoining areas of local planning authorities;
    “planning provision” means a provision to do with planning that is
    contained in or made under any Act;
    “relevant planning authority” means the local planning authority for an
    area that is or forms part of a planning area;
    “specified” means specified in regulations under subsection (1).”
SECOND SHEET OF
MANUSCRIPT
AMENDMENTS
TO BE MOVED
ON REPORT

20 April 2016