

# Protection of Local Services (Planning) Bill

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**B I L L**

TO

Enable local planning authorities to require planning permission prior to the demolition or change of use of premises or land used or formerly used to provide a local service; and for connected purposes.

**B**E 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 Interpretation**

For the purposes of this Act—

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

“local services” include, but are not limited to, retail outlets, public houses, banks, health facilities, including hospitals and pharmacies, legal services, social housing, post offices, schools, public eating places, sporting and leisure facilities and open spaces, and such other types of land or premises as the Secretary of State shall determine in Guidance issued to local authorities. 5  
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**2 General permitted development**

(1) The Secretary of State must by regulations made by statutory instrument amend the Town and Country Planning (General Permitted Development) Order 1995 (S.I. 1995/418) (the “GPDO”), so that a local planning authority in England may remove from the scope of the GPDO— 15

- (a) all land or premises used or formerly used as a local service,
- (b) a specified type or types of land or premises used or formerly used as a local service, or
- (c) such land or premises used or formerly used as a local service specified on a list prepared by the local planning authority. 20

(2) The Secretary of State must lay regulations under section 2(1) before Parliament before the end of the period of 12 months beginning with the day on which this Act is passed.

### 3 Demolition

The Secretary of State must within 12 months of this Act being passed issue a Direction to local planning authorities in England under section 55(2)(g) of the Town and Country Planning Act 1990 so that a local planning authority in England may require planning permission prior to the demolition of— 5

- (a) all land or premises used or formerly used as a local service,
- (b) a specified type or types of land or premises used or formerly used as a local service, or
- (c) such land or premises used or formerly used as a local service specified on a list prepared by the local planning authority. 10

### 4 Procedure to be followed by local planning authorities

- (1) The Secretary of State must by regulations made by statutory instrument make provision about the procedure to be followed by local planning authorities in England in relation to section 2 (general permitted development) and 3 (demolition) of this Act. 15
- (2) Before making regulations under section 4(1) the Secretary of State must consult—
  - (a) local authorities or persons who represent the interests of local authorities, and
  - (b) such other persons as the Secretary of State considers appropriate. 20
- (3) Regulations made under section 4(1) must require local planning authorities to consult—
  - (a) parish councils whose boundaries fall either wholly or partly within the boundaries of the local planning authority, and
  - (b) persons or organisations which are in the local planning authority's view likely to be affected by, or interested in, the making of a decision in relation to sections 2 or 3 of this Act. 25
- (4) The Secretary of State must lay regulations under section 4(1) before Parliament before the end of the period of 12 months beginning with the day on which this Act is passed. 30

### 5 Regulations

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

### 6 Financial provisions

*There is to be paid out of money provided by Parliament — 35*

- (a) *any expenditure incurred under or by virtue of this Act by the Secretary of State, and*
- (b) *any increase attributable to this Act in the sums payable under any other Act out of money so provided.*

### 7 Short title, commencement and extent 40

- (1) This Act may be cited as the Protection of Local Services (Planning) Act 2011.
- (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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## B I L L

To enable local planning authorities to require planning permission prior to the demolition or change of use of premises or land used or formerly used to provide a local service; and for connected purposes.

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