



Town and Country Planning Act 1990

1990 CHAPTER 8

PART III

CONTROL OVER DEVELOPMENT

[^{F1}England: option to make application directly to Secretary of State]

[^{F1}62B Designation for the purposes of section 62A

- (1) An authority may be designated for the purposes of section 62A only if—
- the criteria that are to be applied in deciding whether to designate the authority are set out in a document to which subsection (2) applies,
 - by reference to those criteria, the Secretary of State considers that there are respects in which the authority are not adequately performing their function of determining applications under this Part, and
 - the criteria that are to be applied in deciding whether to revoke a designation are set out in a document to which subsection (2) applies.

[A document to which subsection (2) applies may set out different criteria for each ^{F2}(1A) description of application prescribed under section 62A(1A).]

- (2) This subsection applies to a document if—
- the document has been laid before Parliament by the Secretary of State,
 - the 40-day period for the document has ended without either House of Parliament having during that period resolved not to approve the document, and
 - the document has been published (whether before, during or after the 40-day period for it) by the Secretary of State in such manner as the Secretary of State thinks fit.
- (3) In this section “the 40-day period” for a document is the period of 40 days beginning with the day on which the document is laid before Parliament (or, if it is not laid before each House of Parliament on the same day, the later of the two days on which it is laid).

Status: Point in time view as at 07/05/2024.

Changes to legislation: *Town and Country Planning Act 1990, Section 62B is up to date with all changes known to be in force on or before 18 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)*

- (4) In calculating the 40-day period for a document, no account is to be taken of any period during which—
- (a) Parliament is dissolved or prorogued, or
 - (b) both Houses of Parliament are adjourned for more than four days.
- (5) None of the following may be designated for the purposes of section 62A—
- (a) the Homes and Communities Agency;
 - (b) the Mayor of London;
 - (c) a Mayoral development corporation;
 - (d) an urban development corporation.
- (6) The Secretary of State must publish (in such manner as the Secretary of State thinks fit)—
- (a) any designation of an authority for the purposes of section 62A, and
 - (b) any revocation of such a designation.]

Textual Amendments

- F1** Ss. 62A-62C inserted (9.5.2013 for E. for specified purposes, 1.10.2013 except in relation to s. 62A(3) (4), 25.4.2013, 1.10.2014 in so far as not already in force) by [Growth and Infrastructure Act 2013](#) (c. 27), **ss. 1(1), 35(2)**; S.I. 2013/1124, art. 2; S.I. 2013/2143, art. 2(1)(a); S.I. 2014/1531, art. 2
- F2** S. 62B(1A) inserted (12.7.2016) by [Housing and Planning Act 2016](#) (c. 22), **ss. 153(5), 216(2)(c)**

Status:

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