
Changes to legislation: Local Government, Planning and Land Act 1980, Part I is up to date with all changes known to be in force on or before 12 June 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) View outstanding changes

SCHEDULES

SCHEDULE 32 **E+W+S**

ENTERPRISE ZONES

PART I E+W+S

DESIGNATION OF ZONES

Invitation to prepare scheme

- 1 (1) The bodies which may be invited to prepare a scheme under this Schedule are, in relation to England and Wales:—
- (a) a district council;
 - [^{F1}(aa) the council of a Welsh county or county borough;]
 - (b) a London borough council;
 - (c) a new town corporation;
 - (d) an urban development corporation.
- (2) The bodies which may be invited to prepare a scheme under this Schedule are, in relation to Scotland:—
- (a) a district or general planning authority within the meaning of section 172(4) of the 1973 Act;
 - (b) a new town corporation;
 - (c) an urban development corporation.
- (3) The Secretary of State may invite any of the bodies to prepare a scheme relating to the development of an area falling within the district [^{F2}county, county borough], borough, district or general planning authority area, new town area or urban development area (as the case may be) and send the scheme to him in accordance with this Schedule.
- (4) The invitation shall be made with a view to the designation as an enterprise zone of the area for which the scheme may be prepared.
- (5) The invitation—
- (a) shall specify the area for which the scheme may be prepared;
 - (b) may contain directions as to the drawing up of the scheme (in particular, as to its form or content or any consultations to be made).
- (6) The invitation may specify an area in which publicity is to be given under paragraph 2(2)(b) below.
- (7) In this paragraph—

Changes to legislation: Local Government, Planning and Land Act 1980, Part I is up to date with all changes known to be in force on or before 12 June 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) View outstanding changes

“new town area” means an area designated as the site of a new town by an order under section 1 of the [^{F3M1}New Towns Act 1981] or section 1 of the ^{M2}New Towns (Scotland) Act 1968;

“new town corporation” means a development corporation established under either of those Acts;

“urban development area” means an area designated as such under this Act;

“urban development corporation” means a corporation established as such under this Act.

Textual Amendments

- F1** Sch. 32 para. 1(1)(aa) inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 59(9)(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F2** Words in Sch. 32 para. 1(3) inserted (1.4.1996) by 1994 c. 19, s. 66(6), **Sch. 16 para. 59(9)(b)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F3** Words substituted by **New Towns Act 1981 (c. 64, SIF 123:3)**, s. 81, **Sch. 12 para. 28(e)**

Marginal Citations

- M1** 1981 c. 64 (**123:3**).
- M2** 1968 c. 16 (**123:4**).

- 2 (1) A body which receives an invitation may prepare a scheme in draft in accordance with the terms of the invitation.
- (2) If it prepares a scheme under sub-paragraph (1) above, it shall take such steps as will in its opinion secure—
- (a) that—
- (i) if the area for which the scheme is to be prepared is within Greater London, adequate publicity is given to its provisions in Greater London;
- (ii) if the area for which the scheme is to be prepared is in England ^{F4}... but outside Greater London, adequate publicity is given to its provisions in the county in which the area is situated;
- [^{F5}(ii) if the area for which the scheme is to be prepared is in Wales, adequate publicity is given to its provisions in the county or county borough in which the area is situated;] and
- (iii) if the area for which the scheme is to be prepared is in Scotland, adequate publicity is given to its provisions in the region in which the area is situated; and
- (b) that adequate publicity is also given to the provisions of the scheme in any area specified under paragraph 1(6) above;
- (c) that persons who may be expected to want to make representations to the body with respect to the provisions are made aware that they are entitled to do so; and
- (d) that such persons are given an adequate opportunity of making such representations within a period specified by the body (the specified period).
- (3) The body shall consider any representation—
- (a) which is made to it within the specified period, and

Changes to legislation: Local Government, Planning and Land Act 1980, Part I is up to date with all changes known to be in force on or before 12 June 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) View outstanding changes

- (b) which is made on the ground that all or part of the development specified in the scheme should not be granted planning permission in accordance with the terms of the scheme.

Textual Amendments

- F4** Words in Sch. 32 para. 2(2)(a)(ii) repealed (1.4.1996) by 1994 c. 19, s. 66(6)(8), Sch. 16 para. 59(9)(c), Sch. 18 (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, Sch. 2
- F5** Sch. 32 para. 2(2)(a)(iia) inserted (1.4.1996) by 1994 c. 19, s. 66(6), Sch. 16 para. 59(9)(c) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, Sch. 2

Adoption of scheme

- 3 (1) After the expiry of the specified period or, if any representations falling within paragraph 2(3) above have been made, after considering them, the body may adopt the scheme by resolution.
- (2) The scheme adopted may be the scheme prepared in draft or, subject to sub-paragraph (3) below, that scheme as modified to take account of any such representation or any matter arising out of the representation.
- (3) A scheme may not be modified in any way inconsistent with the Secretary of State's invitation under paragraph 1 above.
- (4) As soon as practicable after adopting a scheme under this Schedule, the body shall—
- send a copy of the scheme to the Secretary of State,
 - deposit a copy of the scheme at its principal office, and
 - publish an advertisement in accordance with sub-paragraphs (7) and (8) below.
- (5) Any member of the public may inspect the copy so deposited, and make copies of or extracts from it, at any reasonable time without payment.
- (6) The body shall make available copies of the scheme, at a reasonable cost, to any member of the public.
- (7) The advertisement shall contain—
- a statement that the scheme has been adopted;
 - a statement that a copy of the scheme can be inspected without payment;
 - a statement of the address where and times when it can be inspected; and
 - a statement that, if the Secretary of State makes an order designating the area to which the scheme relates as an enterprise zone, the order will have effect to grant planning permission in accordance with the scheme.
- (8) The advertisement shall be published—
- in the London Gazette or, if the scheme relates to an area in Scotland, the Edinburgh Gazette; and
 - on at least two occasions, in a newspaper circulating in the area to which the scheme relates.

Changes to legislation: Local Government, Planning and Land Act 1980, Part I is up to date with all changes known to be in force on or before 12 June 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) View outstanding changes

Questioning scheme's validity

- 4 (1) If a person is aggrieved by a scheme adopted by a body under this Schedule and he wishes to question its validity on the ground that it is not within the powers conferred by this Schedule, or that any requirement of this Schedule has not been complied with, he may within the period of six weeks commencing with the first publication (whether in the London or Edinburgh Gazette or otherwise) under paragraph 3(8) above make an application under this paragraph to the High Court or, if the scheme relates to an area in Scotland, the Court of Session.
- (2) On such an application the High Court or the Court of Session, if satisfied—
- (a) that the scheme is wholly or to any extent outside the powers conferred by this Schedule, or
 - (b) that the interests of the applicant would be substantially prejudiced by the failure to comply with any requirement of this Schedule if an order were made under this Schedule designating the area to which the scheme relates as an enterprise zone,
- may order that the Secretary of State shall not make an order under this Schedule designating the area as an enterprise zone in pursuance of the scheme, but (in a case where sub-paragraph (b) above applies) may further order that, if steps are taken to comply with the requirement concerned, an order may be made designating the area.
- (3) No order made by the Court under sub-paragraph (2) above prejudices the making of an order under this Schedule designating the area as an enterprise zone in pursuance of another scheme (so long as this Schedule is complied with).
- (4) Except as provided by this paragraph, the validity of a scheme adopted under this Schedule shall not be questioned in any legal proceedings whatsoever.

Designation of enterprise zone

- 5 (1) If a body adopts a scheme under this Schedule, the Secretary of State may (if he thinks it expedient to do so) by order designate the area to which scheme relates as an enterprise zone.
- (2) No order may be made until—
- (a) the expiry of the period of six weeks commencing with the first publication (whether in the London or Edinburgh Gazette or otherwise) under paragraph 3(8) above, or
 - (b) if an application in relation to the scheme is made under paragraph 4(1) above, the time at which any proceedings arising out of the application are disposed of,
- whichever is the later.
- (3) The power to make the order shall be exercisable—
- (a) by statutory instrument subject to annulment in pursuance of a resolution of either House of Parliament, and
 - (b) only with the Treasury's consent.
- (4) The order shall—
- (a) specify the date of the designation taking effect (the effective date);
 - (b) specify the period for which the area is to remain an enterprise zone;
 - (c) define the boundaries of the zone by means of a plan or map;

Changes to legislation: Local Government, Planning and Land Act 1980, Part 1 is up to date with all changes known to be in force on or before 12 June 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) View outstanding changes

- (d) designate as the enterprise zone authority the body which was invited to prepare the scheme.
- (5) The power to amend orders conferred by section 14 of the ^{M3}Interpretation Act 1978 does not include power to amend an order made under this paragraph.
- (6) The power to revoke orders conferred by that section does not include power to revoke an order made under this paragraph before the expiry of the period mentioned in sub-paragraph (4)(b) above.
- (7)
- ^{F6F7}(8)
- (9) In the following provisions of this Schedule references to a scheme are, in relation to an area designated as an enterprise zone under this paragraph, to the scheme adopted for the area under paragraph 3(1) above.

Textual Amendments	
F6	Sch. 15 para. 23, Sch. 32 paras. 5(7), 15(2)(b)(i), 20(1), 22(2)(a), 23, 26(1A)(a) repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, Sch. 1 Pt. I
F7	Sch. 32 para. 5(8) repealed (27.5.1997) by 1997 c. 11, ss. 3, 6(2), Sch. 1 Pt. I (with s. 5, Sch. 3)
Modifications etc. (not altering text)	
C1	Sch. 32 para. 5 amended (E.W.) by the Town and Country Planning Act 1990 (c. 8, SIF 123:1), s. 6(1) Sch. 32 para. 5 extended (27.5.1997) by 1997 c. 8, ss. 2(1), 278(2) (with s. 20)
Marginal Citations	
M3	1978 c. 30 (115:1).

Publicity of designation

- 6 (1) As soon as practicable after the making of an order under paragraph 5 above, the body which adopted the scheme shall publish an advertisement in accordance with sub-paragraphs (2) and (3) below.
- (2) The advertisement shall contain—
 - (a) a statement that the order has been made and will have effect to make the area an enterprise zone; and
 - (b) a statement that a copy of the scheme can be inspected without payment and a statement of the address where and times when it can be inspected.
- (3) The advertisement shall be published—
 - (a) in the London Gazette, or, if the scheme relates to an area in Scotland, the Edinburgh Gazette; and
 - (b) on at least two occasions, in a newspaper circulating in the area to which the scheme relates.

Right of entry

- 7 (1) Any person duly authorised in writing by a body which has been invited to prepare a scheme under this Schedule may at any reasonable time enter any land in the area

Changes to legislation: Local Government, Planning and Land Act 1980, Part I is up to date with all changes known to be in force on or before 12 June 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) View outstanding changes

to which the scheme relates (or could relate) for the purpose of surveying the land in connection with the preparation or adoption of a scheme under this Schedule.

- (2) In relation to England and Wales, [^{F8}subsection (8) of section 324 and section 325 of the 1990 Act] (giving of notice, compensation for damage, etc.) shall apply in relation to sub-paragraph (1) above as they apply in relation [^{F8}to section 324].
- (3) In relation to Scotland, [^{F9}subsection (6) of section 269 and section 270 of the 1997 Act] (giving of notice, compensation for damage, etc.) shall apply in relation to sub-paragraph (1) above as they apply in relation [^{F9}to section 269].

Textual Amendments

- F8** Words substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 44\(14\)\(a\)](#)
- F9** Words in [Sch. 32 para. 7\(3\)](#) substituted (27.5.1997) by [1997 c. 11, ss. 4, 6\(2\), Sch. 2 para. 31\(13\)\(a\)](#)

Acts referred to in Part I

- 8 In this Part of this Schedule—
- “^{F10}1990] Act” means the Town and Country Planning Act [^{F10}1990]
- “^{F11}1997] Act” means the ^{M4}Town and Country Planning (Scotland) Act [^{F11}1997];
- “1973 Act” means the ^{M5}Local Government (Scotland) Act 1973.

Textual Amendments

- F10** Word substituted by [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\), s. 4, Sch. 2 para. 44\(14\)\(b\)](#)
- F11** Word in [Sch. 32 para. 8](#) substituted (27.5.1997) by [1997 c. 11, ss. 4, 6\(2\), Sch. 2 para. 31\(13\)\(b\)](#)

Marginal Citations

- M4** [1972 c. 52 \(123:2\)](#).
- M5** [1973 c. 65 \(81:2\)](#).

Changes to legislation:

Local Government, Planning and Land Act 1980, Part I is up to date with all changes known to be in force on or before 12 June 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.

[View outstanding changes](#)

Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 98(A1)(B1) inserted by [2016 c. 22 s. 209\(2\)](#)
- s. 98(8)(d) and word added by [1989 c. 42 Sch. 11 para. 56](#)
- s. 98(8)(d) word substituted by [2007 c. 28 Sch. 14 para. 3\(2\)\(a\)\(i\)](#)
- s. 98(8)(d) words substituted by [2007 c. 28 Sch. 14 para. 3\(2\)\(a\)\(ii\)](#)
- s. 98(8A) added by [1989 c. 42 Sch. 11 para. 56](#)
- s. 98(8A) word substituted by [2007 c. 28 Sch. 14 para. 3\(2\)\(b\)](#)
- s. 98(8A)(d) word repealed by [1999 c. 29 Sch. 34 Pt. 8](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(f) and word inserted by [1999 c. 29 Sch. 29 para. 30](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(f) substituted by [2017 c. 3 Sch. 2 para. 58](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(eza)(ezb) inserted by [2009 c. 20 Sch. 6 para. 50](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(ezc) inserted by [2023 c. 55 Sch. 4 para. 64](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(aa) inserted by [1994 c. 19 s. 66\(6\)Sch. 16 para. 57\(4\)](#)
- s. 98(8A)(ea) inserted by [2007 c. 28 Sch. 13 para. 36\(3\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(8A)(ea) omitted by [2015 c. 20 Sch. 13 para. 6\(14\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 98(8A) by 1989 c. 42, Sch. 11 para. 56 is still prospective.)
- s. 98(10) inserted by [2016 c. 22 s. 209\(3\)](#)
- s. 100(1)(1A) substituted for s. 100(1) by [1989 c. 42 Sch. 11 para. 57](#)
- s. 100(1)(a) amended by [1999 c. 29 Sch. 29 para. 32](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words inserted by [1994 c. 19 s. 66\(6\)Sch. 16 para. 57\(6\)](#) (This amendment not applied to legislation.gov.uk. Sch. 16 para. 57(6) repealed (19.11.1998) without ever being in force by 1998 c. 43, s. 1(1), Sch. 1 Pt. X Group 5)
- s. 100(1)(a) words inserted by [2009 c. 20 Sch. 6 para. 52](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by [2007 c. 28 Sch. 13 para. 36\(5\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by [2007 c. 28 Sch. 14 para. 3\(3\)\(a\)](#)
- s. 100(1)(a) words substituted by [2015 c. 20 Sch. 13 para. 6\(14\)\(d\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)

- s. 100(1)(a) words substituted by [2017 c. 3 Sch. 2 para. 60](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1)(a) words substituted by [2023 c. 55 Sch. 4 para. 66](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1A) words substituted by [S.I. 2009/1941 Sch. 1 para. 46\(3\)\(b\)](#) (This amendment not applied to legislation.gov.uk. The insertion of s. 100(1)(1A) by 1989 c. 42, Sch. 11 para. 57 is still prospective.)
- s. 100(1ZA)(1ZB) inserted by [2007 c. 28 Sch. 14 para. 3\(3\)\(b\)](#)
- s. 134(1B) inserted by [2023 c. 55 s. 171\(2\)](#)
- s. 134(3C) inserted by [2023 c. 55 Sch. 16 para. 2\(5\)](#)
- s. 134(6)(7) inserted by [2023 c. 55 Sch. 16 para. 2\(11\)](#)
- s. 134A inserted by [2023 c. 55 s. 171\(3\)](#)
- s. 135(4A)-(4C) inserted by [2023 c. 55 s. 171\(6\)](#)
- s. 135(7) inserted by [2023 c. 55 Sch. 16 para. 3\(3\)](#)
- s. 149(1A) inserted by [2023 c. 55 s. 174\(2\)\(a\)](#)
- s. 149(2A) inserted by [2023 c. 55 s. 174\(2\)\(c\)](#)
- s. 149(3A) inserted by [2023 c. 55 s. 174\(2\)\(e\)](#)
- s. 149(4A) inserted by [2023 c. 55 s. 174\(2\)\(f\)](#)
- s. 149A inserted by [2023 c. 55 s. 174\(3\)](#)
- Sch. 26 para. 1A inserted by [2023 c. 55 s. 178\(1\)\(b\)](#)
- Sch. 28 Pt. 3 para. 6 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(c\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 6 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(d\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 13 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 28 Pt. 3 para. 16 words substituted by [2003 c. 21 Sch. 17 para. 52\(2\)\(a\)](#) (This amendment not applied to legislation.gov.uk. The words purported to be substituted do not appear in the text)
- Sch. 29 Pt. 1 para. 1 inserted by [2023 c. 55 s. 174\(4\)\(a\)](#)
- Sch. 29 Pt. 1 para. 3 inserted by [2023 c. 55 s. 174\(4\)\(c\)](#)
- Sch. 29 Pt. 1 para. 5 inserted by [2023 c. 55 s. 174\(4\)\(e\)](#)
- Sch. 29 Pt. 1 para. 2 words in Sch. 29 Pt. 1 renumbered as Sch. 29 Pt. 1 para. 2 by [2023 c. 55 s. 174\(4\)\(b\)](#)
- Sch. 29 Pt. 1 para. 4 words in Sch. 29 Pt. 1 renumbered as Sch. 29 Pt. 1 para. 4 by [2023 c. 55 s. 174\(4\)\(d\)](#)
- Sch. 31 para. 8(2A) inserted by [2023 c. 55 s. 179\(1\)\(b\)](#)