
EXPLANATORY NOTE

(This note is not part of the Order)

This Order designates a number of areas in Milton Keynes under section 170 of the Leasehold Reform, Housing and Urban Development Act 1993 (article 3) and makes the Urban Regeneration Agency (“the Agency”) (commonly known as English Partnerships) the local planning authority for each designated area for the purposes of Part 3 (control over development) of the Town and Country Planning Act 1990 (“the 1990 Act”) in respect of certain kinds of development specified in article 4. Each designated area is shown hatched black on the map forming part of this note.

Article 4(1) specifies the kinds of development for which the Agency is the local planning authority: development involving the provision of 10 or more houses, flats or houses and flats, development involving 1000 or more square metres of floorspace of certain uses including retail, office and industrial, and development occupying a site of 1 hectare or more, but not any minerals or waste related development (article 4(2)). The Agency is also to be the local planning authority for developments which, while not themselves falling within the above criteria, form part of more substantial proposals which do. Article 4(3) sets out matters to be taken into account when determining whether development forms part of more substantial proposals which fall within article 4(1).

Articles 4(4) and (5) provide that an application to renew a planning permission or to remove conditions subject to which it was imposed shall not be made to the Agency, but to the local planning authority which granted the previous permission.

Article 5 and the Schedule to the Order apply provisions of the 1990 Act relating to purchase notices, extinguishment of public rights of way, power to require information as to interests in land, and provisions in the Planning (Listed Buildings and Conservation Areas) Act 1990 relating to purchase notices, to the Agency, subject to the modifications set out in that Schedule.

Provision is made for the former local planning authority to transmit applications received by it for development of a kind for which the Agency has become the local planning authority to the Agency for determination (article 6). The former local planning authority will continue to be treated as local planning authority for the purposes of any appeal against a decision, determination or failure by it to notify the applicant of its decision within the prescribed period (article 6(5)).

Article 7 leaves responsibility for the payment of compensation under Part 4 of the 1990 Act with the local planning authority who took the action giving rise to a right to compensation.

Prints of the maps referred to in article 3 of this Order are available for inspection at all reasonable hours in the Library of the Office of the Deputy Prime Minister, Ashdown House, 123 Victoria Street, London SW1E 6DE, at the offices of Milton Keynes Council, Civic Offices, 1 Saxon Gate East, Central Milton Keynes, MK9 3HQ and at the Milton Keynes offices of the Urban Regeneration Agency (English Partnerships), Central Business Exchange II, 414-428 Midsummer Boulevard, Central Milton Keynes MK9 2EA.

The regulatory impact assessment relating to this Order is available on the internet at www.odpm.gov.uk/urban/consult. Alternatively copies can be obtained by post from the Office of the Deputy Prime Minister, Zone 4/G10, Eland House, Bressenden Place, London SW1E 5DU.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

