

**2006 No. 1469**

**TOWN AND COUNTRY PLANNING, ENGLAND**

**The Planning (Application to the Houses of Parliament) Order  
2006**

*Made* - - - -

*6th June 2006*

*Coming into force in accordance with article 1(1)*

The Secretary of State, in exercise of the powers conferred on her by section 293(1) of the Town and Country Planning Act 1990(a), section 82C(3)(c) of the Planning (Listed Buildings and Conservation Areas) Act 1990(b) and section 31(3) of the Planning (Hazardous Substances) Act 1990(c), makes the following Order, a draft of which has been laid before and approved by resolution of each House of Parliament:

**Citation, commencement and interpretation**

1.—(1) This Order may be cited as the Planning (Application to the Houses of Parliament) Order 2006 and shall come into force the day after that on which it is made.

(2) For the purposes of article 2 a licence shall not be regarded as an interest in land.

**Definition of Crown interest**

2.—(1) The interests in paragraph (2) are specified for the purposes of —

- (a) the definition of Crown interest in section 293(1) of the Town and Country Planning Act 1990;
- (b) section 82C(3) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (definition of Crown interest);
- (c) the definition of Crown interest in section 31(3) of the Planning (Hazardous Substances) Act 1990.

(2) The interests referred to in paragraph (1) are—

- (a) the interest of the Speaker of the House of Lords in those parts of the Palace of Westminster and its precincts occupied on 23 March 1965 by or on behalf of the House of Lords;
- (b) the interest of the Speaker of the House of Commons in those parts of that Palace and its precincts occupied on that date by or on behalf of the House of Commons;
- (c) the interest in any land of—

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(a) 1990 c.8. See paragraph (c) of the definition of “Crown interest”. Section 293 was amended by the Planning and Compulsory Purchase Act 2004 (c. 5), section 79(4) and paragraph 6 of Schedule 3.

(b) 1990 c.9. Sections 82B and 82C were inserted by the Planning and Compulsory Purchase Act 2004, sections 79(4), 83(1) and paragraph 7 of Schedule 3.

(c) 1990 c.10. See paragraph (c) of the definition of “Crown interest”. Section 31 was amended by the Planning and Compensation Act 1991 (c. 34), paragraph 31 of Schedule 3 and by the Planning and Compulsory Purchase Act 2004, section 79(4) and paragraph 8 of Schedule 3.

- (i) the Corporate Officer of the House of Lords;
- (ii) the Corporate Officer of the House of Commons; or
- (iii) those two Corporate Officers acting jointly.

**Appropriate authority**

3. For the purposes of Part 13 of the Town and Country Planning Act 1990 (application of Act to Crown land), Part 3 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and section 31 of the Planning (Hazardous Substances) Act 1990, the “appropriate authority” in relation to the land described—

- (a) in article 2(2)(a) or (c)(i), is the Corporate Officer of the House of Lords;
- (b) in article 2(2)(b) or (c)(ii), is the Corporate Officer of the House of Commons; and
- (c) in article 2(2)(c)(iii), is those two Corporate Officers acting jointly.

Signed by authority of the Secretary of State

6th June 2006

*Kay Andrews*  
Parliamentary Under Secretary of State  
Department for Communities and Local Government

## **EXPLANATORY NOTE**

*(This note is not part of the Order)*

Part 7 of the Planning and Compulsory Purchase Act 2004 applied the Town and Country Planning Act 1990 to the Crown. Crown land is defined in section 293 of the 1990 Act as land in which there is a Crown interest or Duchy interest. Crown interest is defined as an interest belonging to Her Majesty in right of the Crown or in right of Her private estates, an interest belonging to a government department or held in trust for Her Majesty for the purposes of a government department and such other interest as the Secretary of State specifies by order.

The Planning and Compulsory Purchase Act 2004 made similar changes to the Planning (Listed Buildings and Conservation Areas) Act 1990 and to the Planning (Hazardous Substances) Act 1990.

This Order specifies as Crown interests the interests of the two Speakers and one or both of the Corporate Officers in particular parts of the Palace of Westminster and its precincts and provides that the appropriate authority in relation to that land is one or both of the Corporate Officers, as the case may be.

A full regulatory impact assessment has not been produced for this instrument as it has no impact on the costs of business, charities, voluntary bodies or the public sector.

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