

**EXPLANATORY MEMORANDUM TO**  
**THE TOWN AND COUNTRY PLANNING (REVOCATIONS) ORDER 2014**  
**2014 No. 683**

1. This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.
2. **Purpose of the instrument**
  - 2.1 This instrument is made to revoke a number of Orders identified in the Government's Red Tape Challenge as redundant. The specific reasons for each revocation are outlined in Sections 4 and 7 below.
3. **Matters of special interest to the Joint Committee on Statutory Instruments**
  - 3.1 None.
4. **Legislative Context**
  - 4.1 This Order revokes the following Orders:
    - The Town and Country Planning (Development Plans) Order 1974
    - The Town and Country Planning (Telecommunication Networks) (Railway Operational Land) Special Development Order 1982
    - The Urban Development Corporations (Appropriate Ministers) Order 1988. (There is also a consequential revocation in SI 1994/2567)
    - The London Docklands Development Corporation (Planning Functions) Order 1997
    - The Urban Development Corporations in England (Planning Functions) Order 1998
    - The Town and Country Planning (London Borough of Camden) Special Development (Amendment) Order 2004
  - 4.2 This Order is part of a series of revocations arising as a result of redundant statutory instruments identified as part of the Red Tape Challenge. The other statutory instrument being made at this time is the Town and Country Planning (Revocations) Regulations 2014.
5. **Territorial Extent and Application**
  - 5.1 This instrument applies in relation to England.
6. **European Convention on Human Rights**

As the instrument is subject to negative resolution procedure and does not amend primary legislation, no statement is required.

## 7. Policy background

- What is being done and why

7.1 In January 2013 the Department of Communities and Local Government published a list of statutory instruments applying to the planning sector as part of the Government's 'Red Tape Challenge' initiative, inviting comments on whether each instrument should be revoked, retained or improved. The Department appointed two Sector Champions to raise the profile of the Red Tape Challenge for the planning administration theme and act as a link with the private, public and voluntary sectors. The Department also chaired a roundtable discussion representing around 20 key organisations.

7.2 Following detailed examination, it was concluded that over half of the instruments were suitable for either revocation or improvement. The final list was published in October 2013. These miscellaneous 6 Orders were identified amongst others as suitable for revocation.

7.3 *The Town and Country Planning (Development Plans) Order 1974* sets out transitional arrangements consequential on the Local Government Act 1972 for development plans for England and Wales prepared under the Town and Country Planning Act 1971. Primary planning legislation has since changed substantially, notably through the Town and Country Planning Act 1990, the Planning and Compulsory Purchase Act 2004, the Planning Act 2008 and the Localism Act 2011. There are no plans to which the Order still applies so it is redundant and can be revoked.

7.4 *The Town and Country Planning (Telecommunication Networks) (Railway Operational Land) Special Development Order 1982* granted planning permission, for a period of 25 years and subject to conditions, for the carrying out of development for the purpose of installing and maintaining etc telecommunication networks on operational land of the British Railways Board (now Network Rail). No new development could be authorised by the Order from 1st August 2007 so the Order is now spent.

7.5 *The Urban Development Corporations (Appropriate Ministers) Order 1988* provided that for the purposes of Part XVI to the Local Government, Planning and Land Act 1980, the Secretary of State for Energy shall be the appropriate Minister for the British Coal Corporation and its wholly-owned subsidiaries and the Secretary of State for Trade and Industry shall be the appropriate Minister for British Shipbuilders and their wholly-owned subsidiaries. The British Coal Corporation, British Ship Builders and the British Steel Corporation were de-nationalised several years ago; this Order has been superseded and is now redundant. There is also a consequential revocation of a reference to the 1988 Order in S.I. 1994/2567.

7.6 *The London Docklands Development Corporation (Planning Functions) Order 1997* revoked the London Docklands Development Corporation (Planning Functions) Order 1990 so that the development corporation ceased to be the local planning authority and revoked the Town and Country Planning (London Docklands Urban Development Area) Special Development Order 1981. It also made transitional provision in relation to the transfer of planning functions and liability for compensation and amends the transitional provisions in the alteration of boundaries orders, which designated former parts of the urban development area. These transitional provisions are now redundant.

7.7 *The Urban Development Corporations in England (Planning Functions) Order 1998* revoked a number of planning functions orders and special development orders relating to a number of urban development corporations. The Order also made transitional provisions in connection with the transfer of planning functions from those urban development corporations to local authorities. Urban Development Corporations were set up to encourage the development of existing and new industry and commerce, to create attractive environments and ensure housing and social facilities were available with the aim of encouraging people to live and work in the area. They were a specific planning vehicle and significantly had a limited lifespan of between 7 and 10 years. This Order is redundant and so can be revoked.

7.8 *The Town and Country Planning (London Borough of Camden) Special Development (Amendment) Order 2004* amends the Camden Special Development Order which has been revoked. This Order can therefore be revoked.

- **Consolidation**

7.9 This instrument revokes six Orders and no consolidation is required.

## **8. Consultation outcome**

8.1 The public consultation on the planning administration theme ran from 31 January - 7 March 2013 on the Red Tape Challenge package, which included the 6 Orders revoked by this instrument. Approximately 150 comments were received, via the Red Tape Challenge website, the private inbox and the Planning Portal website, which have been considered as part of the development of the Department's propositions for the regulations. There were a mixture of comments from private, public and voluntary sector bodies, a number of which were representative organisations or interest groups, and the general public.

8.2 The Red Tape Challenge was positively received, and the general consensus indicated that planning administration regulations should be more orderly, streamlined and consolidated.

8.3 *The Town and Country Planning (Development Plans) Order 1974* received three comments from ALBPO, Buckinghamshire Council and Central Bedfordshire Council, all in agreement of a revocation of this instrument. The remaining 5 Orders received no specific comments.

## **9. Guidance**

9.1 Specific guidance on this Statutory Instrument is unnecessary because it is revoking legislation which is either redundant, has been superseded or is no longer considered to be required.

## **10. Impact**

10.1 A full regulatory impact assessment has not been produced for the measure in this instrument as no impact on the private, public or voluntary sector is foreseen.

## **11. Regulating small business**

11.1 The legislation does not apply to small business.

## **12. Monitoring & review**

12.1 This instrument revokes six Orders so no monitoring or review is necessary.

## **13. Contact**

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Tel: 0303 444 1978 or email: [maria.panayiotou@communities.gsi.gov.uk](mailto:maria.panayiotou@communities.gsi.gov.uk) can answer any queries regarding the instrument.