



PLANNING CASEWORK – 18-19 ACT PAPER AND CPO REPORT

PART 1

**Presented to Parliament pursuant to Schedule 2 to the Planning and
Compulsory Purchase Act 2004**

REVIEW OF PERFORMANCE IN COMPLYING WITH STATUTORY TIMETABLES FOR PLANNING DECISIONS REPORT TO PARLIAMENT BY THE SECRETARY OF STATE FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT: 2018-2019

Introduction

1. In compliance with paragraph 8 of Schedule 2 to the Planning and Compulsory Purchase Act 2004, the Secretary of State for Housing, Communities and Local Government hereby reports to Parliament on performance in complying with the timetables set for planning decisions under the provisions of paragraphs 1 and 2 of Schedule 2.
2. This information relates on an annual basis to all such decisions issued between 1 April 2018 and 31 March 2019.
3. No Parliamentary proceedings apply to this paper.

Background information

4. Statutory timetabling applies to called-in planning applications and planning appeals recovered for the Secretary of State's decision under the provisions of sections 77 and 78 of the Town and Country Planning Act 1990, along with any other cases directly "linked" to such decisions (such as associated listed building consents and appeals against enforcement notices). However statutory timetables do not apply to any of these categories of cases if they have been decided jointly with a Minister in another Department or if they are linked to a type of case for which another Secretary of State has responsibility. Nor do they apply to planning appeals decided by Inspectors.

Review of performance

5. For the year from 1 April 2018 to 31 March 2019, 32 decisions, as outlined in paragraph 4, were issued by the Secretary of State. Of these, 30 were subject to statutory timetables, with 22 (73%) determined within target and 8 (27%) missing the statutory date.

Performance in complying with statutory timetables

6. Of the 8 decisions which did not meet their target, 5 were delayed due to the publication of the new National Planning Policy Framework; 2 were delayed due to workload pressures; and 1 was delayed due to specific planning matters requiring especially careful consideration.

PART 2

Presented to Parliament pursuant to section 14B of the Acquisition of Land Act 1981

REVIEW OF PERFORMANCE IN COMPLYING WITH TIMETABLE FOR CONFIRMING COMPULSORY PURCHASE ORDERS

REPORT TO PARLIAMENT BY THE SECRETARY OF STATE FOR HOUSING, COMMUNITIES AND LOCAL GOVERNMENT: 2018-2019

Introduction

1. Pursuant to section 14B(5) of the Acquisition of Land Act 1981, the Secretary of State for Housing, Communities and Local Government hereby reports to Parliament on cross-government compliance with the timetables for confirming compulsory purchase orders published in accordance with section 14B(1) of the 1981 Act.
2. This information relates to compulsory purchase orders which were decided during the period between 6 April 2018 and 31 March 2019, and which were submitted for confirmation on or after 6 April 2018. Compulsory purchase orders submitted on or after 6 April 2018 where decisions will be made after 31 March 2019 will be included in future annual reports.
3. No Parliamentary proceedings apply to this paper.

Background information

4. A number of government departments have the power to confirm compulsory purchase orders (known as confirming authorities).
5. Section 180 of the Housing and Planning Act 2016 inserted new section 14B into the Acquisition of Land Act 1981. Section 14B introduced a new requirement for the Secretary of State to publish one or more timetables in relation to steps to be taken by confirming authorities (other than Welsh Ministers) in confirming a compulsory purchase order.
6. The timetables for confirmation decisions to be issued were published in Government's [Guidance on Compulsory purchase process and The Criche Down Rules](#) and are as follows:
 - for Secretary of State cases which are dealt with through:
 - written representations procedure - target for 80% of decisions to be issued within 8 weeks and 100% within 12 weeks of the site inspection (or final exchange of representations)
 - inquiries procedure - target for 80% of decisions to be issued within 20 weeks and 100% within 24 weeks of the close of the inquiry

- for cases delegated to inspectors which are dealt with through:
 - written representations procedure - target for 80% of decisions to be issued within 4 weeks and 100% within 8 weeks of the site inspection (or final exchange of representations)
 - inquiries procedure - target for 80% of decisions to be issued within 8 weeks and 100% within 12 weeks of the close of the inquiry

7. These timetables apply only to compulsory purchase orders submitted for confirmation on or after 6 April 2018.

Review of performance

8. The table below shows the number of compulsory purchase orders which were submitted on or after 6 April 2018 where the confirmation decision was made on or before 31 March 2019. It does not include compulsory purchase orders decided during that period but submitted for confirmation before 6 April. Nor does it include the 84 compulsory purchase orders submitted for confirmation on or after 6 April 2018 but where:

- a decision on whether to confirm the order had not been taken on or before 31 March 2019;
- there were no remaining objectors to the order¹; or
- the order was invalid or withdrawn by the acquiring authority.

¹ Where there are no remaining objectors, the decision on the order is made without the need to follow either the written representations or inquiry procedure and therefore, the confirmation timetables do not apply

Confirming authority	Number of relevant compulsory purchase orders² decided 6 April 2018 – 31 March 2019	Number of cases which met the statutory timescales and non-statutory targets
Department for Business, Energy & Industrial Strategy	0	N/A
Department for Digital, Culture, Media & Sport	0	N/A
Department for Education	0	N/A
Department for Environment, Farming and Rural Affairs	0	N/A
Department of Health and Social Care	0	N/A
Ministry of Housing, Communities and Local Government	1	1
Department for Transport	0	N/A

9. The small number of entries reflects the fact that confirming authorities will still have been dealing with ‘legacy’ compulsory purchase orders i.e. those submitted prior to the introduction of the new timescales. Compulsory purchase orders submitted on or after 6 April 2018 where decisions will be made after 31 March 2019 will be included in future annual reports.

² For the purposes of this report, a relevant compulsory purchase order is one which was decided during the period between 6 April 2018 and 31 March 2019, and which was submitted for confirmation on or after 6 April 2018