



# Planning and Compensation Act 1991

## 1991 CHAPTER 34

### PART I

#### TOWN AND COUNTRY PLANNING: ENGLAND AND WALES

##### *Controls over particular matters*

#### **20 Land of interested planning authorities and development by them.**

For section 316 of the principal Act (application of certain provisions to local planning authorities) there is substituted—

##### **“316 Land of interested planning authorities and development by them.**

- (1) The provisions of Parts III, VII and VIII of this Act shall apply in relation to—
  - (a) land of interested planning authorities; and
  - (b) the development of any land by interested planning authorities or by such authorities jointly with any other persons,subject to regulations made by virtue of this section.
- (2) The regulations may, in relation to such land or such development—
  - (a) provide for any of those provisions to apply subject to prescribed exceptions or modifications or not to apply;
  - (b) make new provision as to any matter dealt with in any of those provisions;
  - (c) make different provision in relation to different classes of land or development.
- (3) Without prejudice to subsection (2), the regulations may provide—
  - (a) subject to subsection (5), for applications for planning permission to develop such land, or for such development, to be determined by the authority concerned, by another interested planning authority or by the Secretary of State; and

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*Changes to legislation: There are currently no known outstanding effects for the  
 Planning and Compensation Act 1991, Section 20. (See end of Document for details)*

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(b) for the procedure to be followed on such applications, and, in the case of applications falling to be determined by an interested planning authority, they may regulate the authority's arrangements for the discharge of their functions, notwithstanding anything in section 101 of the <sup>M1</sup>Local Government Act 1972.

(4) The regulations shall—

- (a) provide for section 71(3), and any provision made by virtue of section 65 or 71 by a development order, to apply to applications for planning permission to develop such land, or for such development, subject to prescribed exceptions or modifications, or
- (b) make corresponding provision.

(5) In the case of any application for planning permission to develop land of an interested planning authority where—

- (a) the authority do not intend to develop the land themselves or jointly with any other person; and
- (b) if it were not such land, the application would fall to be determined by another body,

the regulations shall provide for the application to be determined by that other body, unless the application is referred to the Secretary of State under section 77.

(6) In this section “interested planning authority”, in relation to any land, means any body which exercises any of the functions of a local planning authority in relation to that land; and for the purposes of this section land is land of an authority if the authority have any interest in it.

(7) This section applies to any consent required in respect of any land as it applies to planning permission to develop land.

(8) Subsection (1) does not apply to sections 76, 90(2) and (5) and 223.”

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**Modifications etc. (not altering text)**

**C1** S. 20 restricted (23.6.1992) by S.I. 1992/1491, **art.3**

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**Commencement Information**

**II** S. 20 wholly in force; s. 20 not in force at Royal Assent see s. 84(2); s. 20 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, **art. 2**; s. 20 in force at 17.7.1992 insofar as not already in force by S.I. 1992/1491, **art. 2**

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**Marginal Citations**

**M1** 1972 c. 70.

**Changes to legislation:**

There are currently no known outstanding effects for the Planning and Compensation Act 1991, Section 20.