

EVEBRIEF

Legal & Parliamentary

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ROYAL STANDARDS



Tony Chase
Editor

Whilst we were enjoying the Royal Wedding and long weekend, the Royal Institution of Chartered Surveyors implemented two significant changes (reported at item 16) which have an impact on both members of the RICS involved in carrying out valuations and organisations receiving professional valuation advice. The first was that from 30 April 2011 members of the RICS undertaking valuations in the UK must be RICS Registered Valuers. Gerald Eve have supported the scheme as a further tool in seeking to reinforce the highest possible professional standards, but it has met with opposition from some RICS members who have viewed the scheme merely as a money-raising exercise.

The RICS believes that the benefits of the scheme include that RICS Registered Valuers will be clearly identifiable to clients and public authorities as the best regulated, qualified and experienced professionals within the field, and it is expected to weed out 'unprofessional' valuers. For our part we expect the scheme, if properly administered, to assist in maintaining RICS Registered Valuers as the 'gold standard'. Key to this however will be that the RICS implements the proposed monitoring and investigation of valuers.

The scheme should also help to achieve the Red Book requirement that only valuers with the required level of expertise and sufficient current knowledge of the particular market

are undertaking valuations. This links into the second change, the publication of the RICS Valuation Standards – Global and UK (the 'Red Book'), 7th Edition which came into effect on 2 May.

The Red Book provides a framework so that users of valuation services can have confidence that a valuation provided by an RICS member is objective and delivered in a manner that is consistent with internationally recognised standards. The new Standards are intended to align with International Valuation Standards, and they remain mandatory when undertaking any capital or rental real property valuations save for a very few exceptions.

Generally, the new Red Book incorporates changes and updates to enhance its clarity and ease of use – including use of the term 'Valuation Standards' rather than 'Practice Statements' in relation to the key mandatory requirements, new guidance notes on depreciated replacement cost and discounted cash flow for commercial property investments and revised notes on valuation uncertainty and trade related properties.

A handwritten signature in black ink that reads "Tony Chase".



GERALDEVE

PLANNING

01 Court of Appeal

Validity of enforcement notice – diplomatic property in Central London being used for public parties and fashion shows

* WESTMINSTER CITY COUNCIL V DAVENPORT
(2011) PLSCS 112 – Decision given 19.04.11

Facts: In 1960 planning permission was granted for a substantial property in Central London to be used for diplomatic purposes, with a condition (Condition 2) attached that should such use cease, the property should not be used for any purpose other than for residential use, or some other previously approved purpose. In June 2006 WCC issued an enforcement notice on the property owner and D, who occupied it, claiming that the condition had been breached as the property was being used for a variety of commercial entertainment purposes. It was claimed that these uses resulted in a loss of housing and affected the neighbouring residential amenity to an unacceptable degree. Following complaints from local residents that continuing commercial activities were causing unacceptable noise and disturbance, WCC obtained an interim injunction in January 2010 restraining D from committing further breaches of planning control on the basis that he had authorised those activities or could have prevented them. When WCC applied to have the injunction made permanent D sought to have it discharged, but the High Court granted a permanent injunction forbidding the use of the property for commercial or non-residential purposes and the undertaking of any development without an express grant of planning permission, on the basis that the various planning assessments contained in the 2006 enforcement notice could not be challenged.

Point of dispute: Whether D's appeal against the permanent injunction would be allowed. D contended that the enforcement notice was null and void and that the uncertainty created by the words 'such other purpose as shall have been previously approved by the Council' in Condition 2 rendered the notice unenforceable.

Held: The appeal was dismissed.

- i. Once the permanent diplomatic use of the property ceased Condition 2 no longer operated as a planning condition. It was not a permanent restriction affecting the land. The issue was whether reliance in the enforcement notice on a condition that was no longer operative rendered the notice null and void. The relevant statutory provision was s173 of the Town and Country Planning Act 1990, which governed the extent to which the state could control the use of a building in an enforcement notice so that it accorded with the general interest (as provided in Article 1 of the first Protocol to the European Convention on Human Rights). In this case the enforcement notice did comply with s173. The matters that WCC considered to be a breach of planning control were clearly stated, as were the activities which the appellants were required to cease. Although the references to Condition 2 and its restriction were inappropriate, they did not detract from its plain statement that the premises were not to be used for any other purpose than residential.

- ii. The words 'such other purpose as shall have been previously approved by the Council' were intended to make clear that WCC had powers to grant further permission and they did not nullify the notice. The permitted use of the property was clear and WCC's right to an injunction could not be defeated by an assertion that broader uses were permitted.
-

02 Administrative Court

Changes to permitted development rights affecting Houses in Multiple Occupation (HMOs) – failure to consult claimant local authorities

** R (ON THE APPLICATION OF MILTON KEYNES COUNCIL AND OTHERS) V SEC OF STATE FOR COMMUNITIES AND LOCAL GOVERNMENT
(2011) PLSCS 104 – Decision given 11.04.11

Facts: In 2009 a consultation was carried out by the Sec of State concerning HMOs. It was proposed to introduce a new HMO use into the 1987 Use Classes Order and to amend the 1995 General Permitted Development Order so that a change from a dwelling house to an HMO would constitute permitted development (option 3). Having taken representations from landlords and a number of local authorities (but not including the claimants) the then government decided not to introduce the proposed changes, but the Coalition government later revisited the matter and carried out a second informal consultation on option 3. The claimants were not directly approached for their views, but nevertheless submitted responses stating that option 3 would make it difficult to prevent the conversion of dwelling houses into HMOs and would lead to increased traffic, crime and anti-social behaviour. Option 3 was implemented by the introduction of various new regulations in September 2010.

Point of dispute: Whether the claimants' application for judicial review of the decision to make the statutory instruments would be allowed. The claimants argued that the consultation process had been unfair since the defendant Sec of State had failed to consult them directly.

Held: The application was dismissed. A decision maker had a broad discretion as to how to conduct a consultation and the fairness of a particular consultation process depended upon the circumstances surrounding it. If the Sec of State had approached the claimants directly he would have had to have consulted all interested parties directly and the consultation exercise would have become as large as the one in 2009, which he wanted to avoid. The informal consultation was a reasonable exercise of his broad discretion and it had not been unfair or unreasonable to limit it to representative bodies.

03 CLG Consultation

Relaxation of planning rules for change of use from commercial to residential: Consultation

Deadline for Comments: 30.06.11

This consultation seeks views on the Government's proposal to amend the Town and Country Planning (General Permitted Development) Order 1995 (as amended) to grant permitted development rights to changes of use from commercial (B use classes) to residential use (C3), which would mean that such changes of use would be allowed without the need for planning permission.

<http://www.communities.gov.uk/publications/planningandbuilding/relaxationchangeconsultation>

04 Letter to Chief Planning Officers

Letter to Chief Planning Officers: Liberalisation of Change of Use

This letter draws local authorities' attention to the consultation at item 03 above.

<http://www.communities.gov.uk/publications/planningandbuilding/letterchangeuse>

05 CLG Consultation

Planning for traveller sites: Consultation

Deadline for Comments: 06.07.11

This consultation seeks views on a new draft Planning Policy Statement for traveller sites. The new policy will replace Circular 01/2006: Planning for Gypsy and Traveller Caravan Sites and Circular 04/2007: Planning for Travelling Showpeople. The aim of the new policy is to put planning for traveller sites into the hands of local planning authorities and to align planning policy for traveller sites more closely with the policies for other forms of housing.

<http://www.communities.gov.uk/publications/planningandbuilding/travellersitesconsultation>

06 CLG Statistics

Local Planning Authority Green Belt Statistics: England 2010-11

These latest national statistics on the estimates of the area of designated Green Belt land within English local authority areas were released on 15.04.11. The key points are as follows:

- the area of designated Green Belt land in England on 31.03.11 was estimated at 1,639,540ha, about 13% of England's total land area;
- between March 2010 and March 2011, boundary changes in three authorities, Enfield, Slough and Vale of White Horse resulted in a small increase (less than 5ha) in the total area of Green Belt; and
- since these statistics were first compiled in 1997 there has been an increase in the area of Green Belt after taking account of the re-designation of some Green Belt as part of the New Forest National Park in 2005.

<http://www.communities.gov.uk/publications/corporate/statistics/lagreenbelt2010>

07 Trees & Design Action Group – Publication for the Mayor of London

The Canopy – London's Urban Forest: A Guide for Designers, Planners and Developers

The Mayor is committed to expanding London's tree cover by 5% by 2025 through his RE:Leaf London campaign. As well as planting new trees, reversing the decline in numbers of existing mature trees is seen as being equally important. This guide looks at the challenges faced and considers possible solutions, including an examination of three case studies which have taken different approaches to the problem.

<http://www.helm.org.uk/upload/pdf/The-Canopy.pdf?1303807174>



08 Department for Culture, Media and Sport Consultation paper

Consultation on the regulations on advertising activity and trading around London 2012

Deadline for Responses: 30.05.11

The UK, Scottish and Welsh governments are jointly consulting on plans for regulating advertising and trading in open public places around the events locations over the time of the London Olympic Games in 2012. The purpose of regulating advertising and trading is to ensure that:

- the Games have a consistent look and feel across London and the UK;
- Games sponsors are able to achieve appropriate brand exposure and are protected against ambush marketing; and
- spectators and those participating in the Games can access venues easily and safely.

The Regulations will only apply to a small number of streets near to Olympic and Paralympic venues for a limited time. For the majority of events the regulations will apply the day before an event starts and the days covering it and the longest period that the Regulations will apply to any one place is 35 days. Views are particularly sought from those most likely to be affected eg traders, advertisers, businesses and residents.

<http://www.culture.gov.uk/consultations/7759.aspx>

HOUSING

09 Statutory Instrument

SI 2011/1007 The Residential Property Tribunal Procedures and Fees (England) Regulations 2011

These Regulations apply to England only and came into force on 31.04.11. Under Part 2 they regulate the procedure to be followed for applications and appeals made to a residential property tribunal under the Housing Act 2004 ('the 2004 Act'), Part 9 of the Housing Act 1985 (which relates to demolition orders), paragraph 11(4) of Schedule 5 to the Housing Act 1985 (which relates to appeals against right to buy determinations) and the Mobile Homes Act 1983. Part 3 makes provision for the payment of fees in respect of certain appeals and applications to tribunals.

<http://www.legislation.gov.uk/uksi/2011/1007/contents/made>

10 CLG Statistical Release

House Price Index – February 2011

These statistics were released on 12.04.11 and include data based on mortgage completions during February 2011. The key points from the release are as follows:

- in February 2011 UK house prices increased by 0.7% over the year and by 0.3% over the month (seasonally adjusted);
- the average mix-adjusted UK house price was £204,164 (not seasonally adjusted);
- average house prices fell by 0.3% over the quarter to February, compared to a quarterly decrease of 0.7% over the quarter to November (seasonally adjusted);
- average house prices over the year increased by 1% in England, and by 0.7% in Scotland, however, they fell by 2.5% in Wales and by 10.8% in Northern Ireland;
- prices paid by first time buyers were 0.7% higher on average than a year earlier as were prices paid by former owner occupiers; and
- prices for new properties were 12.5% higher than a year earlier, but prices for pre-owned dwellings fell by 0.1%.

<http://www.communities.gov.uk/publications/corporate/statistics/hpi022011>

11 Homes and Communities Agency Monthly Housing Market Bulletin

Housing Market Bulletin, March 2011

This bulletin provides HCA staff with the latest information on housing market trends, the economy and the housebuilding industry. The following are the most important points:

- house prices continued to fall slightly in February with the Halifax recording a 0.9% fall over the month;
- Halifax is forecasting a 2% fall in prices over the year;
- there was, however, a significant rise in the number of potential buyers (+14.7%) in February;
- according to HMRC, transaction levels remained broadly the same as a year earlier;
- in January there were 29% fewer loans for house purchase compared to the previous month;
- the Budget included a £250m scheme to help get 10,000 first time buyers onto the property ladder in new build housing;
- economic growth fell by 0.6% in Q4 2010;
- both employment and unemployment have risen over the past three months as the working age population rises and more people stay in employment past 65;
- the Governor of the Bank of England has warned that imbalances in the financial system are starting to rise again and it is possible that there will be another financial crisis; and
- housebuilders report that the market remains weak but is starting to stabilise.

<http://www.homesandcommunities.co.uk/public/documents/housing-bulletin-march.pdf>

COMPULSORY PURCHASE

12 Court of Appeal

Compulsory purchase of land forming part of Olympics site – certificate of appropriate alternative development – whether inspector incorrect to find that residential development was not reasonably foreseeable in absence of CPO

* ROOFF LTD V SEC OF STATE FOR COMMUNITIES AND LOCAL GOVERNMENT
(2011) PLSCS 110 – Decision given 18.04.11

Facts: In 2005 the Sec of State acquired some of the appellant's land under a CPO as part of the development site for the London 2012 Olympics. The land was in an area of industrial and commercial development adjoining a freight railway line. The appellant, R, applied to the local authority for a certificate of alternative development under s17 of the Land Compensation Act 1961 and for the purposes of its compensation claim sought a certificate that in the absence of the CPO, planning permission would have been granted for Class C3 residential use. That claim was rejected and the authority granted a certificate limited to Class B1 and B2 business and light industrial uses. R's appeal to the defendant Sec of State was dismissed on the grounds of the inspector's findings that, notwithstanding the changes to the area proposed by pre-existing planning policy (regardless of the Olympics), the land was unlikely to be granted permission for residential development owing to its proximity to noisy freight railway lines, the proposed realignment of a major road and 'bad neighbour' uses.

Point of dispute: Whether R's appeal would be allowed against the decision of the court below upholding Sec of State's initial ruling. R argued that:

- i. the inspector's reasoning had been inadequate in a way that prejudiced R; and
- ii. the inspector had adopted an incorrect approach to the development plan provisions applicable to the site.

Held: R's appeal was allowed. The reasoning in the inspector's recommendation was insufficient to enable it to be properly understood. He had started from the position that the existing use of the area was incompatible with residential use, but had not distinguished between the two ways in which such a change might be envisaged as leading to a grant of residential permission on the land:

- i. a comprehensive redevelopment of a larger area that included R's land, with residential use being favoured on R's land; and
- ii. a separate development of the appeal site designed to kick-start the development in the remainder of the area.

The inspector's report did not clearly accept the local authority's case, and nor was it based on considerations that would apply to an ordinary planning application. His findings appeared to be based on a misunderstanding of the Sec of State's guidance on the s17 procedure relating to the certificate.

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CONTRACT

13 Court of Appeal

Breach of warranty of authority – name of principal misrepresented

* KNIGHT FRANK LLP V DU HANEY
(2011) PLSCS 108 – Decision given 12.04.11

Facts: DH, the respondent, acting as agent for a company called MICL had commissioned the appellant firm of chartered surveyors, KF, to prepare a valuation appraisal of a development site. KF wrote to MICL setting out the basis on which it would undertake the valuation but erroneously referred to MICL as MIL. DH signed the acceptance above where it stated: “for and on behalf of MIL” adding the words “as agent”. Other documentation prepared by KF also incorrectly referred to MIL. When KF’s appraisal fee was not paid KF brought a claim against DH.

Point of dispute: Whether KF’s appeal would be allowed against the ruling of the court below dismissing its claim for £70,500 against DH. The issue was whether an agent who misrepresented the name of his principal during the course of making a contract with a third party could be liable, either for breach of warranty of authority, or personally liable, in a situation where the principal was known and its correct name could be established.

Held: KF’s appeal was dismissed. DH had made it clear that he was only acting as agent on behalf of the company that was negotiating to purchase the site. It had not been demonstrated that he had breached his warranty of authority. Although he had misrepresented the name of his principal he had not warranted the accuracy of the name he had given. A key element for a successful action – that a representation by DH as to the name of his principal had induced KF to act in a way in which it would not otherwise have done – was not present. Furthermore, KF had not attempted to show that DH did not have the authority that he warranted to have, or that he had not been acting as agent, so DH could not be held to have any personal liability to KF.

14 High Court

Interpretation of option agreement

** WOODFORD LAND LTD V PERSIMMON HOMES LTD
(2011) PLSCS 109 – Decision given 15.04.11

Facts: WL, the claimant, acquired brownfield sites, which it sold to developers after carrying out remediation works. In 2006 it entered into an option agreement with PH, the defendant, for the sale of a former railway depot in Doncaster for £925,000 per net developable acre, less the ‘development costs’. WL was to apply for planning permission for a residential development. As a condition of the grant of planning permission the council required WL to contribute towards the provision of affordable housing under a s106 agreement and the parties’ respective responsibilities for costs incurred in that regard were specifically set out in the option agreement. PH maintained that these costs were ‘development costs’ and thus to be borne by WL and, on the basis of a concession by WL, this view was upheld by an expert appointed under the dispute resolution clause in the agreement. His decision was made in the capacity of an expert, not an arbitrator, and was to be final and binding save for any manifest error.

Point of dispute: Whether WL’s application to rectify the agreement would be allowed. It argued that when they entered into it the parties had intended that PH should bear the cost of the affordable housing provision.

Held: WL’s claim was dismissed. The explicit clauses in the option agreement dealing with affordable housing made it clear that PH was to be responsible for this cost. The true construction of the agreement was clear: the burden of bearing the costs of the affordable housing fell on PH and could not be deducted from the purchase price. WL had been unwise to make a concession in respect of the expert’s determination and as a matter of contract between the parties his decision on the construction issue was final and binding since the expert had not made any manifest error. It did not, however, bind the court as it was not a judicial decision. The court found that the agreement cast the burden of affordable housing on PH – the rectification claim therefore failed as there was nothing to rectify. However, WL was bound by the expert’s determination on the construction issue and was left without a remedy, notwithstanding that the agreement did mean what he wanted it to.

CONSTRUCTION

15 CLG Circular Letter

Circular letter: Guide to Determinations and Appeals under the Building Act 1984

This letter informs building control bodies (local authorities or an approved inspector) about the newly published revised Guide to Determinations and Appeals and the introduction of application/appeal forms as part of this process. The Guide, which was originally published in 2001, is aimed at anyone proposing to carry out building work (including professional advisers) who is seeking to ensure that the work complies with the Building Regulations but has been unable to reach agreement with the building control.

<http://www.communities.gov.uk/publications/planningandbuilding/guidetodeterminations>

GENERAL

16 RICS Scheme

RICS Valuer Registration Scheme

The Royal Institution of Chartered Surveyors (RICS) has implemented its Valuer Registration Scheme. With effect from 30.04.11 it is mandatory for all RICS members undertaking valuations covered by RICS Valuation Standards (usually referred to as the 'Red Book'), or who are signatories to such valuations, to be registered as part of the scheme. The intention is to introduce a greater degree of control over those undertaking Red Book valuations by ensuring so far as is reasonably possible that they have the required degree of experience and expertise. The RICS has also just launched a new edition of the Red Book, Edition 7, which came into effect on 02.05.11.

17 British Council for Offices (BCO) Publication

Designing for Biodiversity, Productivity and Profit

This paper, the first of two new papers in a series of Environmental Briefing Notes from the BCO's Environmental Sustainability Group, introduces the concepts of 'green' design, biodiversity and biodiverse design. It contains details of the benefits of environmental stewardship and resource conservation and explains how those involved in office design are working towards biodiverse design in that sector.

<http://www.bco.org.uk/research/researchreports/detail.cfm?rid=166&cid=0>

18 British Council for Offices Publication

Whole Life Carbon

This paper introduces the concept of whole life carbon, giving an overview of it, explaining why it is important, including guidance on operational and embodied carbon and setting out what it means for developers, designers and occupiers. Whole life carbon is becoming a more significant issue as both national and European legislators develop legislation to address both operational and embodied carbon.

<http://www.bco.org.uk/research/researchreports/detail.cfm?rid=168&cid=0>



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Abbreviations

The following abbreviations are used in evebrief:

BLD	Lexis Nexis Butterworths (internal abbreviation)
EG	Estates Gazette
EGLR	Estates Gazette Law Reports
EWCA	England & Wales Court of Appeal
EWHC	England & Wales High Court
P&CR	Property, Planning and Compensation Reports
PLSCS	Property Law Service Case Summaries

The star system

Cases are marked with one, two or three stars as follows:

- *** Essential reading on the point of law or valuation with which the case is concerned, because it adds to, or clarifies or changes, the law.
- ** Noteworthy case which does not significantly alter the law or which relates to a relatively obscure point.
- * Interesting but non-essential reading.

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EVEBRIEF

Legal & Parliamentary

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SCOTLAND

ENVIRONMENT

01 Scottish Government Publication

First Annual Report on the Operation of s72 of the Climate Change (Scotland) Act 2009

This is a report on the operation of the provisions contained within s72 of the Climate Change (Scotland) Act 2009 which came into force on 01.04.10. Section 72 introduced s3F into the Town and Country Planning (Scotland) Act 1997. It provides that a planning authority must include policies requiring all developments in the local development plan area 'to be designed so as to ensure that all new buildings avoid a specified and rising proportion of the projected greenhouse gas emissions from their use, calculated on the basis of the approved design and plans for the specific development, through the installation and operation of low and zero-carbon generating technologies.'

<http://www.scotland.gov.uk/Publications/2011/04/13093014/0>



GERALDEVE

WALES**PLANNING**

02 Welsh Assembly Government Consultation

Review of directions requiring planning applications to be referred to the Welsh Ministers

Deadline for Responses: 13.06.11

This consultation proposes changes to the existing system of directions that require Ipas to refer certain planning applications to the Welsh Ministers before making a decision. The Welsh Ministers consider the planning application against certain criteria and then decide whether to intervene by means of a 'call in' or other direction. 'Call in' is generally considered appropriate only where an application raises issues of more than local importance eg proposals that:

- are in conflict with national planning policies;
- could have wide effects beyond their immediate locality;
- may give rise to substantial controversy beyond the immediate locality;
- are likely significantly to affect sites of scientific, nature conservation or historic interest or areas of landscape importance; and
- raise issues of national security or novel planning issues.

The Welsh Assembly Government wishes to reduce the number of planning applications which are required to be referred to the Welsh Ministers for possible 'call in'. It is proposed that a new direction would require Ipas to refer applications to the Welsh Ministers for certain types of development (to be called 'Notification Development') comprising:

- Flood Risk Area Development;
- Departure Development (an application for planning permission that does not accord with the development plan in force for the area in which the application site is situated and which also falls into one of four specified categories); and
- Aggregates Extraction from Areas of Acknowledged Landscape Importance.

<http://new.wales.gov.uk/consultations/planning/reviewofdirections/?lang=en>

RATING

03 Statutory Instrument

SI 2011/966 (W140) The Non-Domestic Rating (Collection and Enforcement) (Local Lists) (Amendment) (Wales) Regulations 2011

These Regulations, which came into force on 22.04.11, amend the 2009 amendment to the 1989 Regulations to make special provision in relation to the collection of certain backdated liability to rates. The 2009 Amendment Regulations inserted a new Schedule 1A into the 1989 Regulations to provide that where a ratepayer is subject to backdated liability that has not already been discharged, the billing authority and ratepayer can agree to reschedule the liability that accrued in the period between the effective date of the amendment to the rating list and the date the amendment was actually made, so that it is payable over a period not exceeding eight years. The criteria that must be satisfied before a ratepayer can take advantage of these arrangements are set out in paragraph 1 of new Schedule 1A. In particular, paragraph 1 provides that the arrangements will apply only where the backdated liability arises as a result of a change to a rating list which is made on or before 31.03.10, and where the demand notice in respect of the liability was issued in the financial year beginning on 01.04.07, 01.04.08 or 01.04.09.

These regulations make amendments to some details of the 2009 regulations, including extending the scheme to demand notices served in 2011/12, to alterations made on or before 31.03.2011 and applying it to demand notices served as a consequence of more than one list alteration.

<http://www.legislation.gov.uk/wsi/2011/966/contents/made>

04 Statutory Instrument

WSI 2011/995 The Non-Domestic Rating (Small Business Relief) (Wales) (Amendment) Order 2011

This Order, which came into force on 22.04.11, amends the 2008 Order by extending the provision for an increase in the level of small business rate relief to 30.09.12, but this extension of relief only applies to the categories of ratepayer covered by the 2008 Order.

<http://www.legislation.gov.uk/wsi/2011/995/contents/made>

NORTHERN IRELAND

GENERAL

05 Statutory Rules of Northern Ireland

SRNI 2011/141 Land Registration (Amendment) Rules (Northern Ireland) 2011

These rules, which will come into force on 03.10.11, make amendments to the Land Registration Rules (Northern Ireland) 1994 in order to facilitate the use of electronic communication and prescribe revised forms for applications for first registration with a qualified title and a possessory title.

<http://www.legislation.gov.uk/nisr/2011/141/contents/made>

06 Statutory Rules of Northern Ireland

SRNI 2011/158 Land Registration (Electronic Communications) Order (Northern Ireland) 2011

This Order, which will come into force on 03.10.11, amends the Land Registration Act (Northern Ireland) 1970 ('the Act') to permit electronic documents created within the Land Registry's computer system, and authenticated by means of digital signature, to be valid for the creation, transfer, variation or extinction of estates and interests in land and to introduce conditions upon which electronic applications for registration may be made.

<http://www.legislation.gov.uk/nisr/2011/158/contents/made>