



Common Commencement Dates

Update to Statement of Forthcoming Regulations



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On 12 February 2007 the Department for Communities and Local Government published its Annual Statement of Forthcoming Regulations to provide businesses with an indication of when new, amended or reduced requirements on them will be coming into effect over the coming year.

Wherever possible, changes come into force on one of two 'Common Commencement Dates' (CCDs) – these are 6 April and 1 October.

However during the course of parliamentary business the implementation timings are often subject to change, and thus below is a list of updates to the Annual Statement where regulations have been deferred or where additional information can be provided. As with the original statement, readers should treat this update as an indication of when regulations are coming into force and refer to official announcements for final confirmation.

Every effort has been made to align to a CCD, but occasionally this does not prove possible. There are also some exceptions that readers should be aware of:

- Statutory instruments which transpose Directives into UK law are exempt from CCDs due to the deadlines imposed when transposing Directives.
- CCDs do not apply to emergency legislation, where there would be a significant public cost or if it would cause detriment to a particular sector of business.

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	Houses in Multiple Occupation (HMO) Licensing – Converted Blocks of Flats (Section 257) Regulations	Remainder of the provisions in the Housing Act 2004 relating to Section 257 HMOs and applying licensing and management regulations to those buildings. Delayed from coming into effect on April 2007.	1 October 2007	
Local Government	The Best Value Authorities Staff Transfers (Pensions) Direction 2007)	To issue Directions under section 101 of the Local Government Act 2003 to provide pension protection for employees of English best value authorities (and Welsh Police authorities) where the provision of services are contracted out, and staff transferred under TUPE.	1 October 2007	
Planning and Minerals	Town and Country Planning (General Permitted Development) (Amendment) Order 2007	Tightens controls on demolition of sports buildings.	April or October 2008	http://www.communities.gov.uk/archived/publications/planningandbuilding/generalpermitteddevelopment
	Town and Country Planning (General Development Procedure) (Amendment) Order 2007	This will ensure consistency in the planning process by introducing a standard application form for planning and associated consents and validation checklists of additional information to accompany applications.	April 2008	http://www.communities.gov.uk/archived/publications/planningandbuilding/standardapplicationforms
	General Development Procedure Order – Article 4 Directions	To help local planning authorities pre-empt neglect and unsightly minor development on small plots of agricultural land which have been subdivided for sale to multiple owners, where the authorities consider there is a threat to important amenity such as attractive rural landscape.	April or October 2008	

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
Regional, Urban & Economic Policy	The European Regional Development Fund (Implementation) North West Operational Programme Regulations 2007	<p><i>This description applies to all the SIs:</i></p> <p>The Structural Fund Regulations, (EC) No 1083/2006 (“the General Regulation”); and (EC) No 1828/2006 (“the Implementing Regulation”) develop a legislative framework, under section 2(2) of the European Communities Act 1972, for regulating the relationship between the ‘Managing Authority’ (ie Communities and Local Government) and ‘Intermediate Bodies’ designated under Article 59(2) of the General Regulation.</p> <p>On 23 October 2006, the Department of Trade and Industry published for consultation the UK’s National Strategic Reference Framework for EU Structural Funds 2007-2013.</p> <p>The Government’s response to the consultation was published on 23 October. It said that “the responsibility of the ERDF should rest with the RDAs.”</p> <p>In practice, that means that each RDA will be the Intermediate (ie Article 59 (2)) Body responsible for the ERDF operational programme for its region (two programmes in the South West).</p>	24 December 2007	<p><i>These comments apply to all the SIs (apart from the separate entry for London):</i></p> <ul style="list-style-type: none"> • For each of the nine English regions, a statutory instrument, and a schedule of managing authority functions, are required to give the RDAs the legal powers to run the ERDF programmes • For all regions except London, European Policy and Programmes Division consulted the RDAs on a draft SI and Schedule in July and August 2007 • Discussions with the RDAs on the SI and Schedule are continuing and we aim to complete our instructions to Legal by mid-October • The SI and Schedule cannot be laid until each programme has been adopted by the Commission • The first programmes are likely to be adopted in October • The aim is for all SIs – depending on the timing of the adoption of the programmes – to be laid in time for them to come into force by 24 December 2007 (but see below for London)
	As above, but for North East		As above	
	As above, but for Yorkshire and the Humber		As above	
	As above, but for West Midlands		As above	
	As above, but for East Midlands		As above	
	As above, but for East of England		As above	
	As above, but for South East		As above	
	As above, but for South West		As above	

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	As above, but for London		January 2008	<ul style="list-style-type: none"> • The SI and Schedule for London will specify two intermediate bodies: the GLA and the LDA, reflecting London's status as a regional government • Complexities arise over the application or otherwise of the GLA Act 1999 to ERDF • An informal consultation with the GLA and LDA is continuing • As a result (and depending also on the date London's operational programme is adopted), the SI for London may not be laid in time to come into force in 2007
GLA Bill	The Town and Country Planning (Mayor of London) Order 2007	<p>The Order sets out the detailed arrangements for the Mayor of London's new power to determine planning applications of potential strategic importance. The new power is included in the GLA Bill currently before Parliament. The Order was published in draft on 9 January and will be subject to further consultation before being finalised. It will come into force either in October 2007 or April 2008, depending on the Parliamentary progress of the GLA Bill.</p> <p>The GLA bill is still going through its Parliamentary passage and further consultation on this order will take place before coming into effect in April 2008.</p>	April 2008	
European Regulations				
Planning and Minerals	The Town and Country Planning (Environmental Impact Assessment) (Amendment) (England) Regulations 2007	These proposed amending regulations would deal with reviews of old mineral permissions which are currently 'stalled' for want of environmental information and would apply sanctions to make the application of the Environmental Impact Assessment Directive to all reviews of mineral permissions as effective as possible.	January 2008	
	The Town and Country Planning (Environmental Impact Assessment) (Amendment) (England) Regulations 2008	These proposed amending regulations comply with two ECJ judgments made in May 2006 whose effect, in the case of outline planning applications, is to allow environmental impact assessment (EIA) to be carried out at reserved matters stage.	January 2008	

POLICY AREA	TITLE	DESCRIPTION	IN FORCE DATE	FURTHER INFORMATION
	Control of Major-Accident Hazards Regulations	<p>To give effect to the changes to planning requirements arising from Directive 2003/15/EC amending Council Directive 96/82/EC on the control of major-accident hazards involving dangerous substances (the Seveso II Directive).</p> <p>The amendments are largely technical and scientific, designed to broaden the scope and improve the effectiveness of the Directive in preventing major accidents and limiting their consequences. However, a key feature is the revised classification and definition of some dangerous substances and preparations, and changes to qualifying quantities that determine whether an establishment falls within scope of the Directive.</p>	October 2008	
Building Regulations	Architects (recognition of European Qualifications etc) Regulations 2007	Consultation is currently taking place on the draft regulations, and will close on 19 October. Account will have to be taken of consultation responses, and it may be necessary to amend the regulations in order to give adequate time for this exercise.	November 2007	