



Town and Country Planning Act 1932

1932 CHAPTER 48

Authorities.

2 Local authority for purposes of Act.

- (1) Subject to the provisions of this section, the local authorities for the purposes of this Act shall be, as respects the city of London, the common council of that city, as respects the county of London, the London County Council, and elsewhere, the councils of county boroughs and county districts.
- (2) The council of any county district may at any time by agreement relinquish in favour of the council of the county within which the district is situate, or, if the district extends into two or more counties, in favour of the council of any of those counties, any of their powers or duties under this Act upon such terms and subject to such conditions, if any, as may be specified in the agreement, and the relinquishment may be either for a specified term or pending the rescission or variation of the agreement in pursuance of the terms thereof, and the agreement may apply with such modifications and adaptations, if any, as may be agreed, any of the provisions of the Local Government Act, 1929, relating to the transfer of property and liabilities.

Where an agreement made under this section for relinquishing any power or duty to a county council is in force, any reference in this Act to a local authority shall, in relation to that power or duty, be construed as a reference to the county council.

- (3) Where an agreement is made or is rescinded or varied under the last preceding subsection, the county council shall forthwith send a copy of the agreement or, as the case may be, notice of the rescission or variation to the Minister of Health (in this Act referred to as " the Minister ").

3 Appointment of joint committees.

- (1) Where two or more authorities, being local authorities or county councils, are desirous of acting jointly in the preparation or adoption of a scheme, they may concur in appointing a joint committee for the purpose and in delegating, with or without restrictions, to that committee any powers, other than the power to borrow money or

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levy a rate, which any of the constituent authorities might exercise for the purpose, and in imposing on that committee any duties which any of the constituent authorities are required to discharge for the purpose.

- (2) Every person appointed to represent a constituent authority on a joint committee must be a member of one at least of the constituent authorities, but the same person may be appointed to represent two or more of those authorities.
- (3) A constituent authority may appoint their representative on a joint committee to serve as such for so long as he holds office as a member of any one of the constituent authorities, or for any shorter period.
- (4) A joint committee may, with the consent of a majority of the constituent authorities, co-opt persons, whether members of a constituent authority or not, to serve as additional members of the committee, so, however, that at least three-fourths of the members of the joint committee shall be persons who are appointed members of that committee.
- (5) A joint committee may appoint such and so many sub-committees, consisting either wholly or partly of members of the committee, as the committee think fit, so, however, that at least three-fourths of the members of a sub-committee shall be persons who are appointed members of the joint committee.
- (6) The expenses of a joint committee shall be defrayed by the constituent authorities, or some or one of them, as they may agree, and if any question arises as to the authorities or authority by whom, or the proportions in which, any such expenses are to be defrayed, that question shall be determined by the Minister.
- (7) The provisions of section fifty-eight of the Local Government Act, 1894, with respect to accounts and audit shall, with any necessary modifications, apply in relation to a joint committee as if county councils were included amongst the councils mentioned in subsection (1) of the said section fifty-eight.

4 Combination of authorities for purposes of schemes.

- (1) If it appears to the Minister to be expedient that two or more authorities, being local authorities or county councils, should act jointly in the preparation or adoption of a scheme, he may, at the request of any one or more of them by order provide for the constitution of a joint committee for the purpose and transfer to the committee any powers, other than the power to borrow money or levy a rate, and duties which any of the constituent authorities might exercise and discharge for the purpose :

Provided that, before making any such order, the Minister shall, unless all the authorities affected thereby assent to the making thereof, cause a local inquiry to be held.

- (2) An order under this section may provide for the application, with any necessary modifications, to the committee thereby constituted of any of the provisions of the last preceding section, and may, if it appears to the Minister to be necessary, provide for the dissolution of any joint committee constituted under the foregoing provisions of this Act or any repealed enactment relating to town planning.

5 Power to alter constitution of joint committees.

- (1) Where a joint committee have been appointed, whether under section three or section four of this Act or under any repealed enactment relating to town planning—

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- (a) the council of any county into which the district of any of the constituent authorities extends; or
- (b) any local authority whose district adjoins the district of any of the constituent authorities;

shall at any time, if they desire to be represented on the joint committee and, in the case of a local authority, if the Minister considers that they ought to be so represented, be entitled to appoint such number of additional members of the committee and shall delegate to the committee such powers, other than the power to borrow money or levy a rate, and duties, as may be agreed with the joint committee or, failing agreement, may be determined by the Minister, and if at any time it appears to the Minister to be expedient that any such council or local authority as aforesaid who have not claimed to be represented on the joint committee should be so represented, he may by order make such alteration in the constitution of the committee and transfer to the committee such of the powers, other than as aforesaid, and duties of the said council or local authority as he thinks fit.

- (2) A county council or local authority who by virtue of this section become represented on a joint committee shall for the purposes of subsections (2) to (7) of section three of this Act be deemed to be a constituent authority, but the alteration so made in the constitution of the committee shall not affect the identity of the committee, the validity of any previous proceedings thereof or the validity of any resolution previously passed by any of the constituent authorities.