



Planning and Compulsory Purchase Act 2004

2004 CHAPTER 5

PART 1

REGIONAL FUNCTIONS

Planning bodies

2 Regional planning bodies

- (1) The Secretary of State may give a direction recognising a body to which subsection (2) applies as the regional planning body for a region (in this Part referred to as the “RPB”).
- (2) This subsection applies to a body (whether or not incorporated) which satisfies such criteria as are prescribed.
- (3) The Secretary of State must not give a direction under subsection (1) in relation to a body unless not less than 60% of the persons who are members of the body fall within subsection (4).
- (4) A person falls within this subsection if he is a member of any of the following councils or authorities and any part of the area of the council or authority (as the case may be) falls within the region to which the direction (if given) will relate—
 - (a) a district council;
 - (b) a county council;
 - (c) a metropolitan district council;
 - (d) a National Park authority;
 - (e) the Broads authority.
- (5) The Secretary of State may give a direction withdrawing recognition of a body.
- (6) Subsection (7) applies if the Secretary of State—

- (a) does not give a direction under subsection (1) recognising a body, or
 - (b) gives a direction under subsection (5) withdrawing recognition of a body and does not give a direction under subsection (1) recognising any other body.
- (7) In such a case the Secretary of State may exercise such of the functions of the RPB as he thinks appropriate.
- (8) A change in the membership of a body which is not incorporated does not (by itself) affect the validity of the recognition of the body.

3 RPB: general functions

- (1) The RPB must keep under review the RSS.
- (2) The RPB must keep under review the matters which may be expected to affect—
- (a) development in its region or any part of the region;
 - (b) the planning of that development.
- (3) The RPB must—
- (a) monitor the implementation of the RSS throughout the region;
 - (b) consider whether the implementation is achieving the purposes of the RSS.
- (4) The RPB must for each year prepare a report on the implementation of the RSS in the region.
- (5) The report—
- (a) must be in respect of such period of 12 months as is prescribed;
 - (b) must be in such form and contain such information as is prescribed;
 - (c) must be submitted to the Secretary of State on such date as is prescribed.
- (6) The RPB must give advice to any other body or person if it thinks that to do so will help to achieve implementation of the RSS.

4 Assistance from certain local authorities

- (1) For the purpose of the exercise of its functions under sections 3(1) and (3)(a) and 5(1) the RPB must seek the advice of each authority in its region which is an authority falling within subsection (4).
- (2) The authority must give the RPB advice as to the exercise of the function to the extent that the exercise of the function is capable of affecting (directly or indirectly) the exercise by the authority of any function it has.
- (3) The advice mentioned in subsection (1) includes advice relating to the inclusion in the RSS of specific policies relating to any part of the region.
- (4) Each of the following authorities fall within this subsection if their area or any part of their area is in the RPB's region—
- (a) a county council;
 - (b) a metropolitan district council;
 - (c) a district council for an area for which there is no county council;
 - (d) a National Park authority.

- (5) The RPB may make arrangements with an authority falling within subsection (4) or with any district council the whole or part of whose area is in the region for the discharge by the authority or council of a function of the RPB.
- (6) The RPB may reimburse an authority or council which exercises functions by virtue of such arrangements for any expenditure incurred by the authority or council in doing so.
- (7) Subsection (5) does not apply to a function of the RPB under section 5(8).
- (8) Any arrangements made for the purposes of subsection (5) must be taken to be arrangements between local authorities for the purposes of section 101 of the Local Government Act 1972 (c. 70).
- (9) Nothing in this section affects any power which a body which is recognised as an RPB has apart from this section.