



# Planning and Compulsory Purchase Act 2004

## 2004 CHAPTER 5

### PART 2

#### LOCAL DEVELOPMENT

##### *General*

### 36 Regulations

- (1) The Secretary of State may by regulations make provision in connection with the exercise by any person of functions under this Part.
- (2) The regulations may in particular make provision as to—
  - (a) the procedure to be followed by the local planning authority in carrying out the appraisal under section 19;
  - (b) the procedure to be followed in the preparation of local development documents;
  - (c) requirements about the giving of notice and publicity;
  - (d) requirements about inspection by the public of a local development document or any other document;
  - (e) the nature and extent of consultation with and participation by the public in anything done under this Part;
  - (f) the making of representations about any matter to be included in a local development document;
  - (g) consideration of any such representations;
  - (h) the remuneration and allowances payable to a person appointed to carry out an independent examination under section 20;
  - (i) the determination of the time at which anything must be done for the purposes of this Part;

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*Status: This is the original version (as it was originally enacted).*

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- (j) the manner of publication of any draft, report or other document published under this Part;
- (k) monitoring the exercise by local planning authorities of their functions under this Part;
- (l) the making of reasonable charges for the provision of copies of documents required by or under this Part.

### **37 Interpretation**

- (1) Local development scheme must be construed in accordance with section 15.
- (2) Local development document must be construed in accordance with section 17.
- (3) A development plan document is a document which—
  - (a) is a local development document, and
  - (b) forms part of the development plan.
- (4) Local planning authorities are—
  - (a) district councils;
  - (b) London borough councils;
  - (c) metropolitan district councils;
  - (d) county councils in relation to any area in England for which there is no district council;
  - (e) the Broads Authority.
- (5) A National Park authority is the local planning authority for the whole of its area and subsection (4) must be construed subject to that.
- (6) RSS and RPB must be construed in accordance with Part 1.
- (7) This section applies for the purposes of this Part.