



Planning and Compulsory Purchase Act 2004

2004 CHAPTER 5

PART 2

LOCAL DEVELOPMENT

Joint committees

29 Joint committees

- (1) This section applies if one or more local planning authorities agree with one or more county councils in relation to any area of such a council for which there is also a district council to establish a joint committee to be, for the purposes of this Part, the local planning authority—
 - (a) for the area specified in the agreement;
 - (b) in respect of such matters as are so specified.
- (2) The Secretary of State may by order constitute a joint committee to be the local planning authority—
 - (a) for the area;
 - (b) in respect of those matters.
- (3) Such an order—
 - (a) must specify the authority or authorities and county council or councils (the constituent authorities) which are to constitute the joint committee;
 - (b) may make provision as to such other matters as the Secretary of State thinks are necessary or expedient to facilitate the exercise by the joint committee of its functions.
- (4) Provision under subsection (3)(b)—
 - (a) may include provision corresponding to provisions relating to joint committees in Part 6 of the Local Government Act [1972 \(c. 70\)](#);

- (b) may apply (with or without modifications) such enactments relating to local authorities as the Secretary of State thinks appropriate.
- (5) If an order under this section is annulled in pursuance of a resolution of either House of Parliament—
- (a) with effect from the date of the resolution the joint committee ceases to be the local planning authority as mentioned in subsection (2);
 - (b) anything which the joint committee (as the local planning authority) was required to do for the purposes of this Part must be done for their area by each local planning authority which were a constituent authority of the joint committee;
 - (c) each of those local planning authorities must revise their local development scheme accordingly.
- (6) Nothing in this section or section 30 confers on a local planning authority constituted by virtue of an order under this section any function in relation to section 13 or 14.
- (7) The policies adopted by the joint committee in the exercise of its functions under this Part must be taken for the purposes of the planning Acts to be the policies of each of the constituent authorities which are a local planning authority.
- (8) Subsection (9) applies to any function—
- (a) which is conferred on a local planning authority (within the meaning of the principal Act) under or by virtue of the planning Acts, and
 - (b) which relates to the authority's local development scheme or local development documents.
- (9) If the authority is a constituent authority of a joint committee references to the authority's local development scheme or local development documents must be construed as including references to the scheme or documents of the joint committee.
- (10) For the purposes of subsection (4) a local authority is any of the following—
- (a) a county council;
 - (b) a district council;
 - (c) a London borough council.

30 Joint committees: additional functions

- (1) This section applies if the constituent authorities to a joint committee agree that the joint committee is to be, for the purposes of this Part, the local planning authority for any area or matter which is not the subject of—
- (a) an order under section 29, or
 - (b) an earlier agreement under this section.
- (2) Each of the constituent authorities and the joint committee must revise their local development scheme in accordance with the agreement.
- (3) With effect from the date when the last such revision takes effect the joint committee is, for the purposes of this Part, the local planning authority for the area or matter mentioned in subsection (1).

31 Dissolution of joint committee

- (1) This section applies if a constituent authority requests the Secretary of State to revoke an order constituting a joint committee as the local planning authority for any area or in respect of any matter.
- (2) The Secretary of State may revoke the order.
- (3) Any step taken by the joint committee in relation to a local development scheme or a local development document must be treated for the purposes of any corresponding scheme or document as a step taken by a successor authority.
- (4) A successor authority is—
 - (a) a local planning authority which were a constituent authority of the joint committee;
 - (b) a joint committee constituted by order under section 29 for an area which does not include an area which was not part of the area of the joint committee mentioned in subsection (1).
- (5) If the revocation takes effect at any time when an independent examination is being carried out in relation to a local development document the examination must be suspended.
- (6) But if before the end of the period prescribed for the purposes of this subsection a successor authority falling within subsection (4)(a) requests the Secretary of State to do so he may direct that—
 - (a) the examination is resumed in relation to the corresponding document;
 - (b) any step taken for the purposes of the suspended examination has effect for the purposes of the resumed examination.
- (7) The Secretary of State may by regulations make provision as to what is a corresponding scheme or document.