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## SCHEDULES

### SCHEDULE 5

Section 85

#### REGIONAL STRATEGY: AMENDMENTS

##### *Town and Country Planning Act 1990 (c. 8)*

1 The Town and Country Planning Act 1990 is amended as follows.

#### Commencement Information

**II** Sch. 5 para. 1 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

- 2 (1) Section 83 (making of simplified planning zone schemes) is amended as follows.
- (2) In subsections (1A), (2B) and (4) (as inserted by section 42 of the Planning and Compulsory Purchase Act 2004 (c. 5)) for “regional spatial strategy” substitute “regional strategy”.
- (3) After subsection (4) insert—
- “(5) In this section and in Schedule 7 references to a regional strategy are to a regional strategy under Part 5 of the Local Democracy, Economic Development and Construction Act 2009”.

#### Commencement Information

**I2** Sch. 5 para. 2 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

- 3 (1) In Schedule 1 (local planning authorities: distribution of functions), paragraph 7 (as substituted by Schedule 6 to the Planning and Compulsory Purchase Act 2004) is amended as follows.
- (2) In sub-paragraph (2)(a), for “the RPB” substitute “the responsible regional authorities”.
- (3) In sub-paragraph (3)—
- (a) in paragraph (a), for “the RSS” substitute “the regional strategy”;
- (b) in paragraph (b), for “the RPB has” substitute “the responsible regional authorities have”.
- (4) In sub-paragraph (5)(a), for “the RPB gives” substitute “the responsible regional authorities give”.
- (5) In sub-paragraph (7)(a), for “the RPB” substitute “the responsible regional authorities”.
- (6) In sub-paragraph (9)(a)—

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- (a) for “the RSS” substitute “ the regional strategy ”;
- (b) for “section 5(8) of the 2004 Act” substitute “ section 78(1) of the Local Democracy, Economic Development and Construction Act 2009 ”.

(7) For sub-paragraph (11) substitute—

“(11) In this paragraph “responsible regional authorities”, in relation to a regional strategy, has the same meaning as in Part 5 of the Local Democracy, Economic Development and Construction Act 2009.”

**Commencement Information**

**I3** Sch. 5 para. 3 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

- 4 In Schedule 7 (simplified planning zones), in paragraph 12(1A)(a) (as substituted by section 49(6) of the Planning and Compulsory Purchase Act 2004) for “regional spatial strategy” substitute “ regional strategy under Part 5 of the Local Democracy, Economic Development and Construction Act 2009 ”.

**Commencement Information**

**I4** Sch. 5 para. 4 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

*Regional Development Agencies Act 1998 (c. 45)*

- 5 The Regional Development Agencies Act 1998 is amended as follows.

**Commencement Information**

**I5** Sch. 5 para. 5 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

- 6 In section 7B (Secretary of State's functions in relation to London Development Agency strategy), for subsection (2) substitute—

“(2) The issues mentioned in subsection (1)(b) include issues relating to any one or more of the following—

- (a) Greater London,
- (b) any area of England outside Greater London, and
- (c) any part of the United Kingdom outside England.”

**Commencement Information**

**I6** Sch. 5 para. 6 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

- 7 Omit section 8 (regional consultation).

**Commencement Information**

**I7** Sch. 5 para. 7 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

- 8 In section 18 (regional accountability), omit subsections (1) and (1A).

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**I8** Sch. 5 para. 8 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

*Greater London Authority Act 1999 (c. 29)*

9 The Greater London Authority Act 1999 is amended as follows.

**Commencement Information**

**I9** Sch. 5 para. 9 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

10 In section 342 (matters to which Mayor to have regard), in subsection (1)(a) (as substituted by Schedule 7 to the Planning and Compulsory Purchase Act 2004 (c. 5)), for “regional spatial strategy” substitute “ regional strategy under Part 5 of the Local Democracy, Economic Development and Construction Act 2009 ”.

**Commencement Information**

**I10** Sch. 5 para. 10 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

11 In Schedule 10 (Transport for London), in paragraph 2(3A), for “regional planning body”, substitute “ responsible regional authorities (within the meaning of Part 5 of the Local Democracy, Economic Development and Construction Act 2009) ”.

**Commencement Information**

**I11** Sch. 5 para. 11 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

*Planning and Compulsory Purchase Act 2004 (c. 5)*

12 The Planning and Compulsory Purchase Act 2004 is amended as follows.

**Commencement Information**

**I12** Sch. 5 para. 12 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

13 Omit sections 1 to 12 (regional functions).

**Commencement Information**

**I13** Sch. 5 para. 13 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

14 In section 19 (preparation of local development documents), in subsections (2)(b) and (d), for “the RSS” substitute “ the regional strategy ”.

**Commencement Information**

**I14** Sch. 5 para. 14 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

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- 15 (1) Section 24 (conformity with regional strategy) is amended as follows.
- (2) In subsection (1)(a), for “the RSS” substitute “ the regional strategy ”.
- (3) Omit subsections (2) and (3).
- (4) In subsection (5), for the words from “subsection (2)” to the end substitute “ subsection (4), the Mayor may give an opinion as to the general conformity of a local development document with the spatial development strategy ”.
- (5) Omit subsections (6), (8) and (9).

**Commencement Information**

**I15** Sch. 5 para. 15 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

- 16 In section 28 (joint local development documents), in subsection (4), for “the RSS”, in both places, substitute “ regional strategy ”.

**Commencement Information**

**I16** Sch. 5 para. 16 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

- 17 In section 37 (interpretation), for subsection (6) substitute—
- “(6) Regional strategy” means a regional strategy under Part 5 of the Local Democracy, Economic Development and Construction Act 2009.
- (6A) “Responsible regional authorities” is to be construed in accordance with Part 5 of the Local Democracy, Economic Development and Construction Act 2009.”

**Commencement Information**

**I17** Sch. 5 para. 17 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

- 18 (1) Section 39 (sustainable development) is amended as follows.
- (2) In subsection (1)—
- (a) omit paragraph (a);
- (b) in paragraph (b), after “Part 2” insert “ of this Act ”;
- (c) in paragraph (c), after “Part 6” insert “ of this Act ”.
- (3) In subsection (3), for “subsection (1)(a) and (b)” substitute “ subsection (1)(b) ”.

**Commencement Information**

**I18** Sch. 5 para. 18 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

- 19 (1) Section 113 (validity of strategies etc) is amended as follows.
- (2) In subsection (1)(a), for “the regional spatial strategy” substitute “ the regional strategy ”.

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- (3) In subsection (9), for paragraph (a) substitute—
- “(a) Part 5 of the Local Democracy, Economic Development and Construction Act 2009 in the case of a revision of the regional strategy;”.
- (4) In subsection (11), for paragraph (a) substitute—
- “(a) for the purposes of a revision of the regional strategy, the date when the revision is published by the Secretary of State under Part 5 of Local Democracy, Economic Development and Construction Act 2009;”.
- (5) After subsection (11) insert—
- “(12) In this section references to a revision of the regional strategy include a revised strategy under section 79 of the Local Democracy, Economic Development and Construction Act 2009.”

**Commencement Information**

**I19** Sch. 5 para. 19 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

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