

*Status: Point in time view as at 01/04/2010.*

*Changes to legislation: There are currently no known outstanding effects for the Local Democracy, Economic Development and Construction Act 2009, Cross Heading: Planning and Compulsory Purchase Act 2004 (c. 5). (See end of Document for details)*

## SCHEDULES

### SCHEDULE 5

#### REGIONAL STRATEGY: AMENDMENTS

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

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

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**Commencement Information**

**I1** 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).

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**Commencement Information**

**I2** 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 ”.

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**Commencement Information**

**I3** Sch. 5 para. 14 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

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).

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**Commencement Information**

**I4** 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 ”.

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#### Commencement Information

**I5** 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

**I6** 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

**I7** 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 ”.

(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.”

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**Commencement Information**

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

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