



Local Government, Planning and Land Act 1980

1980 CHAPTER 65

PART IX

TOWN AND COUNTRY PLANNING

Surveys and structure plans and local plans

88 Local plans-expedited procedure

- (1) The following sections shall be inserted after section 15 of the Town and Country Planning Act 1971: —

“15A Local plans-expedited procedure.

- (1) Where—
- (a) a local planning authority have prepared a local plan; and
 - (b) the Secretary of State gives them a direction authorising them to take such steps preliminary to its adoption as are mentioned in section 12(2) of this Act; and
 - (c) at the time when he gives them that direction he has not approved the structure plan so far as it relates to the area of the local plan,
- they may take those steps and adopt the local plan, whether or not the Secretary of State approves the structure plan first.
- (2) Where—
- (a) a local planning authority have prepared proposals for the repeal of a local plan and its replacement with a new local plan ; and
 - (b) the Secretary of State gives them a direction authorising them to take such steps preliminary to its repeal and replacement as are mentioned in section 12(2) of this Act; and

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- (c) at the time when he gives them that direction he has not approved the structure plan so far as it relates to the area of the new local plan, they may take those steps and repeal the existing plan and adopt the new one, whether or not the Secretary of State approves the structure plan first.
- (3) Where—
- (a) a local planning authority have prepared proposals—
- (i) for the alteration of a local plan; or
- (ii) for the repeal of a local plan without its replacement with a new plan ; and
- (b) the Secretary of State gives them a direction authorising them to take such steps preliminary to the alteration or, as the case may be, the repeal of the local plan as are mentioned in section 12(2) of this Act; and
- (c) at the time when he gives them that direction he has not approved the structure plan so far as it relates to the area of the local plan, they may take those steps and adopt the proposals, whether or not the Secretary of State approves the structure plan first.
- (4) The powers conferred by subsections (1) to (3) of this section may be exercised by a district planning authority notwithstanding that they have not obtained a certificate under section 14(5) or (7) of this Act, but subject to the other provisions of that section and to the provisions of sections 12 and 13 of this Act.
- (5) Before adopting—
- (a) a local plan; or
- (b) proposals for the repeal or alteration of a local plan,
- in exercise of the powers conferred on them by this section, a local planning authority shall make such modifications to the plan (if any) as may be necessary to make it conform generally to the structure plan as it stands for the time being.
- (6) Where this section applies, if the Secretary of State has approved the structure plan so far as it relates to the area of the local plan, but proposals for its alteration, repeal or replacement, so far as it relates to that area, have been prepared and submitted to the Secretary of State, he may direct that such of the provisions of this Act mentioned in subsection (4) of this section as are applicable shall have effect as respects the local planning authority's exercise of their powers under this section as if the proposals for alteration, repeal or replacement of the structure plan had been approved by him.
- (7) The provisions of this Act mentioned in subsection (3) above are—
- (a) section 11(9);
- (b) paragraph 11(4)(a) of Schedule 4 ; and
- (c) section 14(2) and (5) to (7).
- (8) If the Secretary of State thinks fit, a direction under subsection (6) of this section may specify modifications which the local planning authority are to make to a local plan or to proposals for the alteration, repeal or replacement of such a plan before adopting the plan or the proposals, for the purpose of bringing the local plan into general conformity with the structure plan as it

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will be after alteration, or, if the structure plan is to be repealed and replaced, for the purpose of bringing the local plan into general conformity with the new structure plan as it stands for the time being.

- (9) Before giving a direction under this section, the Secretary of State shall consult—
- (a) every county planning authority and district planning authority whose area includes any land to which the local plan relates ; or
 - (b) if the land to which the local plan relates is in Greater London, the Greater London Council and every London borough council in whose area the land is situated.

15B Conformity between plans—supplementary.

- (1) It shall be the duty of a county planning authority—
- (a) on the approval of a structure plan, to consider whether any local plan which has been adopted for part of the area to which the structure plan relates, or which has been approved by the Secretary of State for part of that area, conforms generally to the structure plan ; and
 - (b) on the approval of proposals for the alteration of a structure plan, to consider whether any local plan which has been adopted for an area affected by the alterations, or which has been approved by the Secretary of State for such an area, conforms generally to the structure plan as altered.
- (2) Not later than the expiration of the period of one month from the date on which the county planning authority receive notice of the Secretary, of State's approval of a structure plan they shall send—
- (a) to the Secretary of State ; and
 - (b) to every district planning authority who prepared for any part of the area to which the structure plan relates a local plan which has been adopted or which has been approved by the Secretary of State,
- a copy—
- (i) of a list specifying every such local plan as is mentioned in subsection (1)(a) of this section which they certify to conform generally to the structure plan; and
 - (ii) of a list specifying every such plan which in their opinion does not so conform.
- (3) Not later than the expiration of the period of one month from the date on which the county planning authority receive notice of the Secretary of State's approval of proposals for the alteration of a structure plan, they shall send—
- (a) to the Secretary of State; and
 - (b) to every district planning authority who prepared a local plan which has been adopted or which has been approved by the Secretary of State and which is for an area which will be affected by the alterations,
- a copy—
- (i) of a list specifying every such local plan as is mentioned in subsection (1)(b) of this section which they certify to conform generally to the structure plan as. altered; and

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(ii) of a list specifying every such plan which in their opinion does not so conform.”.

(2) Accordingly—

(a) in subsection (2) of section 12 of that Act (publicity in connection with preparation of local plans), after the word " and ", in the first place where it occurs, there shall be inserted the words " , subject to section 15A of this Act, " ; and

(b) in subsection (2) of section 14 (adoption and approval of local plans) and in subsection (3) of section 15 (which applies certain provisions in relation to the making of proposals for the alteration of local plans and to alterations so proposed), for the word " The ", in the first place where it occurs in each subsection, there shall be substituted the words " Subject to section 15A of this Act, the ".

(3) Section 12 of the Inner Urban Areas Act 1978 (which is superseded by the first of the sections inserted in the Town and Country Planning Act 1971 by this section) shall cease to have effect, but its repeal shall not affect any direction given under it before the passing of this Act.

89 Additional amendments relating to surveys and plans

The amendments relating to surveys and plans contained in Schedule 14 to this Act shall have effect.