

Status: Point in time view as at 31/03/2012.

Changes to legislation: Local Democracy, Economic Development and Construction Act 2009, Schedule 5 is up to date with all changes known to be in force on or before 07 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

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)

^{F16}

Textual Amendments

F1 Sch. 5 para. 6 repealed (31.3.2012) by Localism Act 2011 (c. 20), s. 240(2), Sch. 25 Pt. 32; S.I. 2012/628, art. 4(d)

- 7 Omit section 8 (regional consultation).

Commencement Information

I6 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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I7 Sch. 5 para. 8 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

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Greater London Authority Act 1999 (c. 29)

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

Commencement Information

I18 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

I19 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

I10 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

I11 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

I12 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

I13 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).

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- (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

I14 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

I15 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

I16 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

I17 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;”.

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- (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

I18 Sch. 5 para. 19 in force at 1.4.2010 by S.I. 2009/3318, art. 4(gg)

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