

Status: Point in time view as at 01/04/2024.

Changes to legislation: Localism Act 2011, Cross Heading: Handling of applications by a Panel is up to date with all changes known to be in force on or before 27 September 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 13

INFRASTRUCTURE PLANNING COMMISSION: TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

PART 1

AMENDMENTS OF THE PLANNING ACT 2008

Handling of applications by a Panel

- 21 In section 64(1)(a) (which refers to an application accepted by the Commission) for “Commission” substitute “ Secretary of State ”.

Commencement Information

II Sch. 13 para. 21 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 22 (1) Amend section 65 (appointment of members, and lead member, of Panel) as follows.
- (2) For subsection (1) (Commission chair must appoint Panel and Panel chair) substitute—
- “ (1) The Secretary of State must appoint—
- (a) three, four or five persons to be members of the Panel, and
- (b) one of those persons to chair the Panel.”
- (3) Omit subsections (3) to (5) (self-appointments, and duty to consult within the Commission before making appointments).

Commencement Information

I2 Sch. 13 para. 22 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 23 (1) Amend section 66 (ceasing to be member, or lead member, of Panel) as follows.
- (2) Omit subsection (1) (generally, person ceases to be Panel member on ceasing to be a Commissioner).
- (3) In subsections (3) and (4) (member, or lead member, may resign by notice to Commission) for “Commission” substitute “ Secretary of State ”.
- (4) In subsection (5) (Commission chair may remove Panel member or lead member)—
- (a) for “person appointed to chair the Commission (“the chair”)” substitute “ Secretary of State ”, and

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(b) in paragraphs (a) and (b) for “chair” substitute “ Secretary of State ”.

Commencement Information

I3 Sch. 13 para. 23 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

24 Omit section 67 (Panel member continuing though ceasing to be Commissioner).

Commencement Information

I4 Sch. 13 para. 24 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 25 (1) Amend section 68 (additional appointments to Panel) as follows.
- (2) For subsection (2) (Commission chair may appoint additional Panel member) substitute—
- “(2) The Secretary of State may appoint a person to be a member of the Panel, but this power may not be exercised so as to cause the Panel to have more than five members.”
- (3) In subsection (3) (Commission chair must ensure Panel continues to have at least three members) for “person appointed to chair the Commission” substitute “Secretary of State
- (4) Omit subsection (5) (self-appointments).

Commencement Information

I5 Sch. 13 para. 25 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 26 (1) Amend section 69 (replacement of lead member of Panel) as follows.
- (2) In subsection (2) (Commission chair must make appointment to fill vacancy in office of lead member) for “person appointed to chair the Commission” substitute “ Secretary of State ”.
- (3) Omit subsection (4) (self-appointments).

Commencement Information

I6 Sch. 13 para. 26 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

27 Omit section 70 (membership of Panel where application relates to land in Wales).

Commencement Information

I7 Sch. 13 para. 27 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 28 (1) Amend section 71 (supplementary provision where Panel replaces single Commissioner) as follows.

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- (2) In subsection (2) (single Commissioner may be appointed member, or member and lead member, of Panel) for “A Commissioner who has handled the application under Chapter 3” substitute “ An appointed person ”.
- (3) In subsection (3) (power to treat things done by or to single Commissioner as done by or to Panel) for “a Commissioner” substitute “ an appointed person ”.
- (4) After subsection (4) insert—
- “(5) In this section “appointed person” means a person appointed to handle the application under Chapter 3.”
- (5) In the heading for “Commissioner” substitute “ appointed person ”.

Commencement Information

I8 Sch. 13 para. 28 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 29 (1) Amend section 74 (Panel to decide, or make recommendations in respect of, application) as follows.
- (2) Omit subsection (1) (cases in which Panel has function of deciding application).
- (3) In subsection (2) (cases in which Panel has function of examining application and reporting on it to the Secretary of State) for “In any other case, the Panel” substitute “ The Panel ”.
- (4) Omit subsection (4) (duty of Commission staff to give support to Panel).

Commencement Information

I9 Sch. 13 para. 29 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

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