
Changes to legislation: Localism Act 2011, Cross Heading: Single-Commissioner procedure to become single-appointed-person procedure is up to date with all changes known to be in force on or before 05 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) View outstanding changes

SCHEDULES

SCHEDULE 13 **E+W**

INFRASTRUCTURE PLANNING COMMISSION: TRANSFER OF FUNCTIONS TO SECRETARY OF STATE

PART 1 **E+W**

AMENDMENTS OF THE PLANNING ACT 2008

Single-Commissioner procedure to become single-appointed-person procedure

- 30 (1) Amend section 78 (single Commissioner to handle application) as follows.
- (2) In subsection (1)(a) (which refers to an application accepted by the Commission) for “Commission” substitute “ Secretary of State ”.
- (3) In subsection (1)(b) (which refers to decision that application be handled by a single Commissioner) for “Commissioner” substitute “ appointed person ”.
- (4) In subsection (2) (meaning of “the single Commissioner”) for “Commissioner” substitute “ appointed person ”.
- (5) In the heading, and in the italic heading immediately preceding the section, for “Commissioner” substitute “ appointed person ”.
- (6) In the heading of Chapter 3 of Part 6 for “SINGLE-COMMISSIONER” substitute “ SINGLE-APPOINTED-PERSON ”.

Commencement Information

I1 Sch. 13 para. 30 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 31 For section 79 (Commission chair must appoint single Commissioner) substitute—

“79 Appointment of single appointed person

The Secretary of State must appoint a person to handle the application.”

Commencement Information

I2 Sch. 13 para. 31 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 32 (1) Amend section 80 (person ceasing to be single Commissioner) as follows.
- (2) Omit subsection (1) (generally, person ceases to be single Commissioner on ceasing to be a Commissioner).

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- (3) In subsection (2) (single Commissioner may resign by notice to Commission)—
- (a) for “Commissioner” substitute “ appointed person ”, and
 - (b) for “Commission” substitute “ Secretary of State ”.
- (4) In subsection (3) (Commission chair may remove single Commissioner)—
- (a) for “person appointed to chair the Commission (“the chair”)” substitute “ Secretary of State ”,
 - (b) for “Commissioner” (in both places) substitute “ appointed person ”, and
 - (c) for “if the chair” substitute “ if the Secretary of State ”.
- (5) In the heading for “Commissioner” substitute “ appointed person ”.

Commencement Information

I3 Sch. 13 para. 32 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 33 Omit section 81 (single Commissioner continuing though ceasing to be Commissioner).

Commencement Information

I4 Sch. 13 para. 33 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 34 In section 82 (appointment of replacement single Commissioner) for “Commissioner” (in each place, including in the heading) substitute “ appointed person ”.

Commencement Information

I5 Sch. 13 para. 34 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 35 (1) Amend section 83 (single Commissioner to examine and report on application) as follows.
- (2) In subsections (1) and (3), in the heading, and in the italic heading immediately preceding the section, for “Commissioner” (in each place, including in the word “Commissioner’s”) substitute “ appointed person ”.
 - (3) In subsection (1)(b) (duty to make report) after “making a report” insert “ to the Secretary of State ”.
 - (4) Omit subsection (2) (report to be made to the Commission in some cases and to the Secretary in other cases).
 - (5) Omit subsection (4) (duty of Commission staff to support single Commissioner).

Commencement Information

I6 Sch. 13 para. 35 in force at 1.4.2012 by S.I. 2012/628, art. 7(a)

- 36 Omit sections 84 and 85 (procedure where single Commissioner's report made to Commission) and the italic heading immediately preceding section 84.

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Commencement Information

I7 Sch. 13 para. 36 in force at 1.4.2012 by S.I. 2012/628, **art. 7(a)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 158(8)-(9B) substituted for s. 158(8)(9) by [2016 c. 22 s. 121\(2\)\(e\)](#)
- s. 202(3A) inserted by [2023 c. 55 s. 176\(2\)](#)