
STATUTORY INSTRUMENTS

2005 No. 1552

The North Northamptonshire Joint Committee Order 2005

Citation and commencement

- 1.—(1) This Order may be cited as the North Northamptonshire Joint Committee Order 2005.
(2) This Order shall come into force on 7th July 2005.

Interpretation

2. In this Order—
“the 1972 Act” means the Local Government Act 1972(1);
“the 2004 Act” means the Planning and Compulsory Purchase Act 2004;
“the Agreement” means the Agreement and Memorandum of Intent dated 23rd February 2005 between the constituent authorities together with the Addendum to the Agreement and Memorandum of Intent dated 3rd June 2005;
“the constituent authorities” means the authorities specified in article 3(2); and
“the joint committee” means the North Northamptonshire joint committee.

Establishment of the joint committee

3.—(1) A joint committee, to be known as the North Northamptonshire joint committee, is constituted as the local planning authority for the purposes of Part 2 (local development) of the 2004 Act for the administrative areas of Corby Borough Council, East Northamptonshire District Council, Kettering Borough Council and Wellingborough Borough Council in respect of the matters specified in article 4(1) (being matters specified in the Agreement).

- (2) The following authorities are specified as those which are to constitute the joint committee:
- (a) Northamptonshire County Council;
 - (b) Corby Borough Council;
 - (c) East Northamptonshire District Council;
 - (d) Kettering Borough Council; and
 - (e) Wellingborough Borough Council.

(1) 1972 c. 70. Relevant amending instruments to Part V are S.I.2001/2237 and S.I. 1995/1948. Amendments were also made by section 46 of the Local Government Act 2000 (c. 22), sections 1 and 94 of, and Schedule 12 to, the Local Government and Housing Act 1989 (c. 42), section 84 of, and Schedule 14 to, the Local Government Act 1985 (c. 51), section 267 of the Enterprise Act 2002 (c. 40), section 206 of, and Schedule 8 to, the Representation of the People Act 1983 (c. 2), section 54 of, and Schedule 3 to, the Audit Commission Act 1998 (c. 18), section 69 of the Greater London Authority Act 1999 (c. 29), section 78 of, and Schedule 10 to, the Environment Act 1995 (c. 25), section 139(3) of the Transport Act 1985 (c. 67), section 38 of the Local Government Finance Act 1982 (c. 32) and section 237 of, and Schedule 13 to, the Education Reform Act 1988 (c. 40.).

Functions of the joint committee

4.—(1) The matters referred to in article 3(1) are the preparation, submission and revision of such of the local development documents specified in the draft local development scheme submitted to the Secretary of State on 18th March 2005 as are identified in that scheme for preparation otherwise than by a constituent authority.

(2) Section 15 (local development scheme) of the 2004 Act shall apply in relation to the joint committee and the matters specified in paragraph (1) as if—

(a) for paragraph (b) of subsection (3) there were substituted—

“(b) submit their local development scheme to the Secretary of State not later than 7th October 2005;” and

(b) for paragraph (c) of subsection (3) there were substituted—

“(c) at that time send a copy of their scheme to the RPB(2).”.

Membership of the joint committee

5.—(1) The joint committee shall consist of 15 members of whom 3 members shall be appointed by each constituent authority.

(2) Each member of the joint committee shall be entitled to recover from the constituent authority by which he is appointed any expenses he incurs in connection with the discharge of the joint committee’s functions.

(3) Section 15, with the exception of subsection (7), and section 16 of the Local Government and Housing Act 1989(3) (political balance on committees etc.) shall apply to appointments to the joint committee as if the joint committee were a body to which section 15 applies.

Disqualification for membership of the joint committee

6.—(1) A person who is disqualified under Part V (general provisions as to members and proceedings of local authorities) of the 1972 Act for being elected or being a member of a local authority shall be disqualified for being a member of the joint committee.

(2) Section 92(4) (proceedings for disqualification) of the 1972 Act, with the exception of subsections (7) and (8), shall apply with respect to membership of, or claims to be entitled to act as a member of, the joint committee as it applies to membership of, or claims to be entitled to act as a member of, a local authority.

Tenure of office

7.—(1) A member of a joint committee shall hold office for a period of one year from the date of his appointment but he will cease to be a joint committee member if he resigns in accordance with paragraph (3) or is otherwise removed or replaced by the constituent authority which appointed him, or ceases to be a member of a constituent authority (and does not on the same day again become a member of that or any other constituent authority).

(2) A person who ceases to be a member of the joint committee shall be eligible for reappointment.

(3) Any member of the joint committee may resign his membership by sending notice in writing to the proper officer of the constituent authority by whom he was appointed.

(2) *see* section 37(6) and the definition of RPB in section 2(1) of the 2004 Act.

(3) 1989 c. 42; sections 15 and 16 were modified by S.I.1990/1553.

(4) Amended by sections 37, 38 and 46 of the Criminal Justice Act 1982 (c. 48).

(4) Any casual vacancy shall be filled as soon as practicable by the relevant constituent authority, and the person appointed shall hold office for the remainder of the term of office of the person in whose place he is appointed.

Meetings and proceedings

8. The meetings and proceedings of the joint committee shall be conducted in accordance with the rules set out in the Schedule to this Order.

Secondment of officers

9.—(1) The constituent authorities shall make secondments, in accordance with the Agreement, of such officers as they think necessary to enable the joint committee to discharge their functions.

(2) The joint committee may make arrangements with a constituent authority for the services of any officer of the authority to be placed at the disposal of the joint committee for such period as may be agreed between the joint committee and the authority.

Expenses of joint committee

10.—(1) The expenses incurred by the joint committee shall be defrayed by Northamptonshire County Council.

(2) The other constituent authorities shall make payments to Northamptonshire County Council, in respect of the sums defrayed in accordance with article 10(1), in such proportions as all the constituent authorities may agree or, in default of agreement, as may be determined by a single arbitrator agreed on by the constituent authorities or, in default of agreement, appointed by the Secretary of State.

Signed by authority of the First Secretary of State

9th June 2005

Yvette Cooper
Minister for Housing and Planning Office of the
Deputy Prime Minister