
STATUTORY INSTRUMENTS

2009 No. 1254

The Cambridge City Fringes Joint Committee Order 2009

Citation and commencement

1. This Order may be cited as the Cambridge City Fringes Joint Committee Order 2009 and shall come into force on 1st July 2009.

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 dated 9th September 2008 between the constituent authorities;

“the constituent authorities” means the authorities specified in article 3(2);

“co-opted member” means a member of the joint committee appointed in accordance with article 5(5);

“the joint committee” means the Cambridge City Fringes joint committee;

“sub-committee” means a sub-committee appointed under article 8(1); and

“voting member” means a person appointed under article 5(1) and entitled to vote in accordance with article 5(2).

Establishment of the joint committee

3.—(1) A joint committee, to be known as the Cambridge City Fringes joint committee, is constituted as the local planning authority for the purposes of Part 2 (local development) of the 2004 Act for the parts of the administrative areas of the constituent authorities specified in the Agreement, and 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) Cambridgeshire County Council;
- (b) Cambridge City Council; and
- (c) South Cambridgeshire District Council.

(1) 1972 c.70. Relevant amendments were 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 1(1) of the Local Government (Access to Information) Act 1985, 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), sections 37, 38 and 46 of the Criminal Justice Act 1982 (c.48), 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), section 237 of, and Schedule 13 to, the Education Reform Act 1988 (c.40), sections 17(4) and 18(6) of, and Schedule 1 to, the Electoral Administration Act 2006 (c.22) and sections 74(1), 209(2), 216(2) and 241 of, and Schedules 3, 13, 14 and 18 to, the Local Government and Public Improvement in Health Act 2007 (c.28). Relevant amending instruments are S.I. 2001/2237, S.I. 1995/1948 and S.I. 2006/88.

Functions of the joint committee

4.—(1) The matters referred to in article 3(1) are the preparation, submission and revision of—

- (a) a joint local development scheme; and
- (b) the local development documents specified in the joint local development scheme.

(2) Section 15 (local development scheme) of the 2004 Act shall apply in relation to the joint committee as if for paragraph (b) of subsection (3) there were substituted—

- “(b) submit its joint local development scheme to the Secretary of State not later than 1st January 2010;”.

Membership of the joint committee and voting rights

5.—(1) The joint committee shall consist of—

- (a) 3 members appointed by Cambridgeshire County Council;
- (b) 3 members appointed by Cambridge City Council;
- (c) 3 members appointed by South Cambridgeshire District Council; and
- (d) such number of co-opted members as may be appointed pursuant to paragraph (5).

(2) The members appointed by the constituent authorities who are present at a meeting of the joint committee shall be entitled to vote at that meeting on any question falling to be decided at that meeting.

(3) Each constituent authority shall appoint a substitute for each voting member it appoints; and where paragraph 1(6)(c) of the Schedule applies, a substitute shall be entitled to vote at the meeting of the joint committee as regards which that substitute is deemed to be a voting member, on any question which falls to be decided at that meeting.

(4) A constituent authority shall not appoint as a voting member or substitute a person who is not a member of that authority.

(5) The joint committee may invite other bodies to participate in proceedings of the joint committee, and each body that accepts such an invitation shall appoint one member of the joint committee.

(6) A member co-opted under paragraph (5) shall not be entitled to vote at any meeting of the joint committee on any question which falls to be decided at that meeting.

(7) Voting members and substitutes shall be entitled to recover from the constituent authority by which they are appointed any expense they incur in connection with the discharge of the joint committee's functions.

Disqualification for membership of the joint committee

6.—(1) A person who is disqualified under Part 5 (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(2) (proceedings for disqualification) of the 1972 Act, with the exception of subsections (7), (7A), (7B) 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 person shall cease to be a voting member of the joint committee if the person—
- (a) resigns in accordance with paragraph (4);
 - (b) is removed or replaced by the constituent authority which made the appointment; or
 - (c) 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 appointed as a co-opted member of the joint committee shall hold office until one of the following occurs—
- (a) the person resigns in accordance with paragraph (4);
 - (b) the person is removed or replaced by the body which made the appointment; or
 - (c) the joint committee decides that the body which made the appointment may no longer participate in proceedings of the joint committee.
- (3) A person who ceases to be a voting member of the joint committee shall be eligible for reappointment.
- (4) A member may resign from the joint committee by sending written notice delivered—
- (a) in the case of a member appointed by a local authority, to the proper officer of the local authority which appointed the member;
 - (b) in any other case, to the body which appointed the member.
- (5) Any casual vacancy shall be filled as soon as practicable by the body which appointed the member of the joint committee whose membership has ceased.

Sub-committees

- 8.—(1) The joint committee may, in accordance with paragraphs (2) and (3), appoint one or more sub-committees.
- (2) Each person appointed as a member of a sub-committee must be a member of the joint committee.
- (3) Subject to paragraph (2), the persons appointed to a sub-committee and its terms of reference shall be determined by the joint committee.

Meetings and proceedings

- 9.—(1) The meetings and proceedings of the joint committee shall be conducted in accordance with the rules set out in the Schedule to this Order, which shall have effect.
- (2) Sub-paragraphs (4) and (5) of paragraph 1 of the Schedule (meetings) and sub-paragraph (1) of paragraph 6 of the Schedule (proceedings of meetings) shall apply with respect to meetings of a sub-committee as if references to the joint committee were references to the sub-committee.

Secondments

- 10.—(1) The constituent authorities shall make secondments, in accordance with the Agreement, of such officers as they think necessary to enable the joint committee and sub-committees to discharge their functions.
- (2) The joint committee may make arrangements with a constituent authority for the services of any officer of that authority or other person engaged by that authority to be placed at the disposal of the joint committee or a sub-committee for such period as may be agreed between the joint committee and the constituent authority.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(3) The joint committee may make arrangements for the services of any person employed by a body which has appointed a co-opted member to be placed at the disposal of the joint committee or a sub-committee for such period as may be agreed between the joint committee and the body.

Expenses of joint committee

11.—(1) The expenses incurred by the joint committee and sub-committees shall be defrayed by Cambridgeshire County Council.

(2) The other constituent authorities shall make payments to Cambridgeshire County Council in respect of the sums defrayed in accordance with paragraph (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 Secretary of State for Communities and Local Government

Iain Wright
Parliamentary Under Secretary of State
Department for Communities and Local
Government

18th May 2009