
Status: This is the original version (as it was originally enacted).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

SCHEDULES

SCHEDULE 3

Section 5.

LOCAL PLANNING AUTHORITIES IN GREATER LONDON

Local planning authorities

- 1 Subject to paragraphs 2 and 5 of this Schedule, the Greater London Council is the local planning authority for Greater London as a whole.
- 2 (1) Subject to paragraph 3 of this Schedule, to Schedule 4 and to Part II of Schedule 5 to this Act, for all purposes of this Act the local planning authority as respects any London borough is the council of the borough ; and—
 - (a) any application under Part III of this Act for planning permission for any development; and
 - (b) any application under Part IV of this Act for listed building consent, shall be made to, and, subject to paragraph 3 of this Schedule, section 35 of this Act and paragraph 4 of Schedule 11 to this Act, shall be determined by such as may be appropriate of those councils.(2) Except in any case or class of cases with respect to which the Greater London Council otherwise direct, the council of each London borough shall cause a copy of every decision made by them on an application mentioned in this paragraph to be sent to the Greater London Council, together with a copy of the application and such other information relating thereto and to the decision as the Greater London Council may reasonably require.
- 3 (1) This paragraph applies to development of such a class, in such area of Greater London, as may be prescribed.
(2) In relation to development to which this paragraph applies, the Greater London Council shall be the local planning authority for all relevant purposes of this Act other than—
 - (a) sections 94 and 95 ; and
 - (b) the reception of applications for, or with respect to the need for, planning permission for such development.(3) Subject to paragraph 5 of this Schedule, a council by whom there is received—
 - (a) any application for planning permission for development to which this paragraph applies ; or
 - (b) any application under section 53 of this Act in a case in which it appears to that council that the proposed action to which the application relates would constitute or involve such development if it constituted or involved development at all,shall forward the application to the Greater London Council, who shall deal with it in like manner as if it had been made to them.

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

- (4) Development to which this paragraph applies by the Greater London Council shall be deemed, for the purposes of section 270 of this Act, to be development by the Council of land in respect of which they are the local planning authority.
- (5) Without prejudice to paragraph 5 of this Schedule, the Greater London Council may in any particular case by instrument in writing authorise the council of a London borough to discharge on their behalf any functions under sections 87 to 95 and section 177 of this Act with respect to development to which this paragraph applies.
- 4 The Greater London Council shall, as respects any London borough, have concurrently with the local planning authority the functions of a local planning authority under sections 58, 96 to 100, 173 and 271 of this Act, and references in those provisions to the local planning authority shall be construed accordingly.

Delegation of functions

- 5 Section 5(1) of the London Government Act 1963 shall not apply to any functions of the Greater London Council under this Act, but the Greater London Council may, with the consent of the Secretary of State, and shall if so required by the Secretary of State, delegate to the council of a London borough any of those functions so far as exercisable in that borough, and any council to whom functions are so delegated shall perform those functions on behalf of the Greater London Council.
- 6 The Greater London Council may agree with the council of a London borough for the transfer to the council of the borough of any liability of the Greater London Council to pay compensation under this Act in respect of anything done by the council of the borough in the exercise of functions delegated to them under paragraph 5 of this Schedule and for the transfer of any officers of any of those councils; and any such agreement shall include provisions in accordance with section 85(3) of the London Government Act 1963 for the protection of the interests of such officers.

*Reference of applications for planning permission
to Secretary of State and Greater London Council*

- 7 Without prejudice to his powers, by virtue of section 31(1) or 35 of this Act, the Secretary of State may by regulations make with respect to applications for planning permission for development in Greater London provision for particular applications or applications of a particular class to be referred before they are dealt with by the local planning authority—
- (a) in the case of an application falling to be dealt with by the Greater London Council, to the Secretary of State ;
 - (b) in the case of an application falling to be dealt with by the council of a London borough—
 - (i) to the Greater London Council;
 - (ii) in such cases as the regulations may prescribe, to the Secretary of State ;
 - (c) in the case of an application referred to the Greater London Council by virtue of sub-paragraph (b)(i) of this paragraph, to the Secretary of State, and for the giving to the referring council by the Greater London Council or, as the case may be, the Secretary of State, of directions as to the manner in which the application is to be dealt with.

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

Interpretation of references to local planning authorities in other enactments

- 8 In relation to land in a London borough—
- (a) references to local planning authorities in any of the following enactments, that is to say—
 - (i) sections 33 and 34 of, and Schedule 2 to, the Electricity Act 1957;
 - (ii) section 108 of, and Schedule 12 to, the Highways Act 1959;
 - (iii) Schedule 1 to the Pipe-lines Act 1962,shall be construed as including references to the Greater London Council but not to the council of a London borough;
 - (b) the reference in section 86(4) of the Transport Act 1962 to the local planning authority to whom application is made for permission for the development in question shall be construed as a reference to the local planning authority by whom that application falls to be dealt with;
 - (c) references in section 3(2) of the Acquisition of Land (Authorisation Procedure) Act 1946, as applied by section 15 of the Opencast Coal Act 1958, to the local planning authority shall be construed as including references both to the Greater London Council and the council of the London borough;
 - (d) any reference in section 17 or 20 of the Caravan Sites and Control of Development Act 1960 to the local planning authority shall be construed as a reference to the council of a London borough ;
 - (e) any reference in Part III of the Land Compensation Act 1961 to the local planning authority shall be construed as a reference to the council of a London borough, but that council shall consult with the Greater London Council before issuing a certificate under section 17 of that Act in any case where an application for planning permission for any development to which the certificate would relate would fall to be dealt with by the Greater London Council.