



Local Government Act 1985

1985 CHAPTER 51

PART II

TRANSFER OF FUNCTIONS TO LONDON BOROUGH COUNCILS, METROPOLITAN DISTRICT COUNCILS AND OTHER EXISTING AUTHORITIES

Town and country planning etc.

3 Local planning authorities

- (1) For section 1(1) of the Town and Country Planning Act 1971 (local planning authorities) there shall be substituted—

“(1) Subject to the provisions of this section—

- (a) in a non-metropolitan county, the council of the county is the county planning authority for the county and the council of a district is the district planning authority for the district;
- (b) the council of a metropolitan district is the local planning authority for the district; and
- (c) the council of a London borough is the local planning authority for the borough.”

- (2) In section 1 (2A) of that Act (meaning of " local planning authority " except as respects Greater London) after the words "except as respects" there shall be inserted the words " a metropolitan county," .

- (3) For section 1(2B) of that Act (mineral planning authorities) there shall be substituted—

“(2B) In this Act ' mineral planning authority' means—

- (a) in respect of a site in a non-metropolitan county, the county planning authority; and
- (b) in respect of a site in a metropolitan district or London borough, the local planning authority.”

- (4) In section 92A(1) of that Act (registration of enforcement notices etc.) for the words " every council of a London borough " there shall be substituted the words " the council of every metropolitan district or London borough " .
- (5) In section 182(2) of the Local Government Act 1972 (which, with Schedule 16 to that Act, deals with the allocation of local planning authority functions in England exclusive of Greater London) after the words " " exclusive of " there shall be inserted the words " the metropolitan counties, " and in paragraphs 54(1) and 55(1) of that Schedule after the words " Elsewhere than in Greater London " there shall be inserted the words " , a metropolitan county " .

4 Development plans

- (1) Part I of Schedule 1 to this Act shall apply instead of Part II of the Town and Country Planning Act 1971 (development plans) to the area of any local planning authority in Greater London or a metropolitan county and shall come into force in any such area on such day after the abolition date as may be appointed in relation to that area by an order made by the Secretary of State.
- (2) Part II of that Schedule shall have effect with respect to development plans in any such area as is mentioned in subsection (1) above from the abolition date until a unitary development plan for that area becomes operative under Part I of that Schedule and with respect to other transitional matters.
- (3) The said Act of 1971 and the provisions of Schedule 1 to this Act shall have effect as if that Schedule were contained in that Act

5 Joint planning committee for Greater London

- (1) The local planning authorities in Greater London shall not later than the abolition date establish a joint committee to discharge the functions mentioned in subsection (2) below.
- (2) The joint committee shall—
 - (a) consider and advise those authorities on matters of common interest relating to the planning and development of Greater London;
 - (b) inform the Secretary of State of the views of those authorities concerning such matters including any such matters as to which he has requested their advice;
 - (c) inform the local planning authorities for areas in the vicinity of Greater London, or any body on which those authorities and the local planning authorities in Greater London are represented, of the views of the local planning authorities in Greater London concerning any matters of common interest relating to the planning and development of Greater London and those areas;and the committee may, if it thinks fit, contribute towards the expenses of any such body as is mentioned in paragraph (c) above.
- (3) The expenses of the joint committee which have been incurred with the approval of at least two-thirds of the local planning authorities in Greater London shall be defrayed by those authorities in such proportions as they may decide or, in default of a decision by them, as the Secretary of State may determine.

- (4) In this section references to the local planning authorities in Greater London are to the authorities which are the local planning authorities in Greater London for the purposes of Part II of the Town and Country Planning Act 1971 or section 4 above.

6 Listed buildings, conservation areas and ancient monuments

Schedule 2 to this Act shall have effect for amending the law relating to listed buildings, conservation areas, ancient monuments and certain related subjects, the principal purpose of the amendments being—

- (a) to transfer functions relating to those matters from the Greater London Council to the Historic Buildings and Monuments Commission for England ; and
- (b) to make, in the enactments relating to those functions, amendments consequential on section 3(1) above.

7 National Parks and countryside functions

- (1) Schedule 3 to this Act shall have effect for transferring functions relating to National Parks and the countryside from—
- (a) the Greater London Council to London borough councils and the Common Council; and
 - (b) from metropolitan county councils to metropolitan district councils.
- (2) The Secretary of State shall before the abolition date lay before Parliament a report on the steps he will take to secure the full adoption by the councils to which functions are transferred by this section in Greater London or a metropolitan county of those facilities, services and responsibilities for the protection and enjoyment of the countryside and areas for urban nature conservation which serve the continuing needs of Greater London or that county and neighbouring populations.