



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 3

PLANNING

CHAPTER 2

DEVELOPMENT PLANS ETC

Requirement to assist with plan making

PROSPECTIVE

100 Requirement to assist with certain plan making

In Part 3 of PCPA 2004 (development), after section 39 (sustainable development) insert—

“Assistance with certain parts of development plan etc

39A Power to require assistance with certain plan making

- (1) Subsection (2) applies if a plan-making authority notifies a prescribed public body in writing that the authority requires the body, under this section, to assist the authority in relation to the preparation or revision of a relevant plan by the authority.
- (2) The prescribed public body must do everything that the plan-making authority reasonably requires of the body to assist the authority in relation to the preparation or revision of the relevant plan.
- (3) The Secretary of State may by regulations make provision as to—

Status: This version of this provision is prospective.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 100. (See end of Document for details)

- (a) what a plan-making authority must, may or may not require a prescribed public body to do under [subsection \(2\)](#);
 - (b) the procedure to be followed in doing anything under this section;
 - (c) the determination of the time by or at which anything must be done under this section;
 - (d) the form and content of a notification under [subsection \(1\)](#) or of any other document or information provided under this section.
- (4) A “plan-making authority” is a body which, or other person who, is to prepare or revise (whether acting alone or jointly) a relevant plan.
- (5) Each of the following is a “relevant plan”—
- (a) a local plan, a minerals and waste plan, a supplementary plan or policies map under Part 2;
 - (b) a spatial development strategy under Part 8 of the Greater London Authority Act 1999 or Part 2 of this Act;
 - (c) an infrastructure delivery strategy under Part 10A of the Planning Act 2008;
 - (d) a marine plan under the Marine and Coastal Access Act 2009 for the English inshore region, the English offshore region or any part of either of those regions.
- (6) A “prescribed public body” is a body which, or other person who, is prescribed or of a prescribed description and certain of whose functions are of a public nature.
- (7) References in this section to the preparation or revision of a relevant plan include any activities that could reasonably be considered to prepare the way for the preparation or revision of the plan.
- (8) In this section—
- “the English inshore region” and “the English offshore region” have the same meaning as in the Marine and Coastal Access Act 2009;
 - “revision”, in relation to a relevant plan, includes any alteration, amendment, replacement or other modification (and related expressions are to be read accordingly).”

Commencement Information

II S. 100 not in force at Royal Assent, see [s. 255\(3\)\(b\)](#)

Status:

This version of this provision is prospective.

Changes to legislation:

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