



Local Government Act 1929

1929 CHAPTER 17

PART III

ROADS AND TOWN PLANNING.

Town Planning.

40 Power of county councils to act jointly with other local authorities in preparation or adoption of a town planning scheme.

- (1) Where after the appointed day the council of a county and any local authority or local authorities under the Town Planning Act, 1925, are desirous of acting jointly in the preparation or adoption of a town planning scheme, they shall be entitled to do so, and the council and the local authority or authorities may concur in appointing out of their respective bodies a joint committee for the purpose, and in conferring, with or without restrictions, on such a joint committee any powers which the local authority or local authorities might exercise for the purpose.
- (2) Where a joint committee of two or more local authorities has been constituted under proviso (ii) to subsection (1) of section two of the Town Planning Act, 1925, or under any corresponding enactment repealed by that Act, and at any time after the appointed day the council of the county of which the district of any of the local authorities forms part are desirous of being represented on the committee, they shall be entitled to appoint such number of members of the committee on such terms as may be agreed with the local authorities or, failing agreement, as may be determined by the Minister; but neither the identity of the committee, nor the validity of any previous proceedings of the committee, shall be thereby affected.
- (3) The provisions of sections fifty-seven and fifty-eight of the Local Government Act, 1894, with regard to joint committees shall, with the necessary modifications, apply to any joint committee appointed under this section as if county councils were included amongst the councils in those sections mentioned; subject, however, to this modification, that any difference as to the proportions in which costs incurred by a

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joint committee are to be defrayed by the councils by whom it is appointed shall be determined by the Minister.

(4) This section shall extend to the county of London.

41 Power to combine councils for the purposes of town planning schemes.

(1) Where it appears to the Minister that it is expedient that two or more local authorities (including county councils) should be combined for purposes connected with the preparation or adoption of a town planning scheme, it shall be lawful for the Minister, by order, to provide for the constitution of a joint committee for the purpose, and to confer on such a joint committee any powers which a local authority under the Town Planning Act, 1925, might exercise in relation to the preparation or adoption of a town planning scheme:

Provided that the Minister, before making such an order, shall hold a local inquiry unless all the local authorities whom it is proposed to combine, assent.

(2) The order may provide for the apportionment of the representation on the committee to the several authorities, as to the functions of the joint committee, and as to their expenses.

(3) The order may, where necessary for the purposes of the order, provide for the dissolution of any joint committee which may have been constituted under proviso (ii) to subsection (1) of section two of the Town Planning Act, 1925, or under any corresponding enactment repealed by that Act.

42 Power to constitute county council responsible authority.

(1) A town planning scheme may provide for the county council being after the appointed day the authority responsible for enforcing the observance of any of the provisions of the scheme, or for the execution of any works which under the scheme or the Town Planning Act, 1925, are to be executed by a local authority.

(2) Where a town planning scheme has been approved by the Minister before the appointed day, and under the scheme a rural district council are the responsible authority as regards any functions exercisable under the scheme which relate to roads, streets, or bunding lines, the county council shall as from the appointed day become the responsible authority as regards those functions in place of the rural district council:

Provided that the Minister may by order provide for excepting from the functions so to be transferred to the county council such functions as he thinks fit, or for the discharge, subject to such conditions as may be imposed by the order, by the rural district council on behalf of the county council of any of the functions transferred to the county council under this subsection.

43 Power of district councils to relinquish functions to county council.

The council of any district wholly or partly within any county may at any time after the appointed day by agreement with the council of the county relinquish in favour of the council of the county any of their functions under the Town Planning Act, 1925, or any scheme made thereunder, upon such terms and subject to such conditions (if any) as may be specified in the agreement, and the relinquishment may be made either for a specified term, or pending the rescission or variation of the agreement,

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and the agreement may apply with such modifications and adaptations, if any, as may be agreed, any of the provisions of this Act relating to the transfer of property and liabilities and the transfer, superannuation and compensation of officers. A copy of an agreement made under this section shall forthwith be sent to the Minister.

44 Amendment of 15 Geo. 5 c.16 s.3.

Section three of the Town Planning Act, 1925 (which required the councils of certain boroughs and urban districts to prepare town planning schemes before the first day of January, nineteen hundred and twenty-nine) shall have effect as if for that date there were substituted the first day of January, nineteen hundred and thirty-four, or such later date before the thirty-first day of December, nineteen hundred and thirty-eight, as the Minister may in any case allow.

45 Extent of Part III.

Save as therein otherwise expressly provided, this Part of this Act shall not extend to the county of London.