

**EXPLANATORY MEMORANDUM TO**  
**THE LUTON AND SOUTH BEDFORDSHIRE JOINT COMMITTEE ORDER 2007**  
**2007 No. 1412**

1. This explanatory memorandum has been prepared by the Department for Communities and Local Government and is laid before Parliament by Command of Her Majesty.

2. **Description**

This Order establishes a joint committee to be the local planning authority for the borough of Luton and the district of South Bedfordshire for the purposes of Part 2 of the Planning and Compulsory Purchase Act 2004 (the 2004 Act).

3. **Matters of special interest to the Joint Committee on Statutory Instruments**

None

4. **Legislative Background**

4.1 Part 2 of the 2004 Act provides for local development plans in England. Under the system, local planning authorities prepare local development documents consisting of development plan documents and supplementary plan documents. Development plan documents, taken as a whole, together with the relevant regional spatial strategy (RSS) under Part 1 of the Act constitute the development plan for the area. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

4.2 Section 29 of the 2004 Act makes provision for one or more local planning authorities to agree with one or more county councils to establish a joint committee. The Secretary of State may by order constitute a joint committee to be the local planning authority for the purposes of Part 2 of the 2004 Act for such areas and in relation to such matters as the constituent authorities agree.

4.3 The joint committee established by this Order will exercise the functions required of a local planning authority under Part 2 of the 2004 Act other than the functions prescribed in section 13 (survey of area), section 14 (survey of area: county councils) and section 16 (preparation and maintenance of minerals and waste development scheme).

5. **Territorial Extent and Application**

This instrument applies in relation to England.

## **6. European Convention on Human Rights**

As the instrument is subject to the negative resolution procedure and does not amend primary legislation, no statement is required.

## **7. Policy background**

- 7.1 Luton Borough and South Bedfordshire District are located in the Milton Keynes/South Midlands Sub Region and are identified in the Sub-Regional Strategy as a major location for growth. The Strategy, adopted in March 2005, set the requirement for growth in Luton/Dunstable/Houghton Regis and Leighton Linlade at 26,300 new homes by 2021 – an additional 17,750 homes above the existing allocations. Planning assumptions for the period 2021-2031 suggest that a further 15,400 homes will be needed in that period. In terms of employment, the Strategy set a target of 12,600 additional jobs in the area by 2021.
- 7.2 The combined area of the two local authorities is 256 square kilometres and it has a population of around 300,000. Luton together with the South Bedfordshire towns of Dunstable and Houghton Regis form a continuously built-up area, and much of the future growth will inevitably take place in South Bedfordshire District since the borough of Luton is tightly constrained within its administrative boundary.
- 7.3 To assist with delivery of the required growth, the two local planning authorities, together with Bedfordshire County Council, have requested that the Secretary of State establish a joint committee to enable the authorities to prepare a local development scheme and all necessary development plan documents. This will enable them to achieve a fully integrated approach to the proper planning of their joint administrative areas.
- 7.4 The Order has been drafted to reflect the agreement between the constituent authorities to establish a joint committee. The constituent authorities have been consulted at various stages of the drafting process and their responses have been incorporated in the Order.

## **8. Impact**

- 8.1 A Regulatory Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.
- 8.2 There is no new impact on the public sector.

## **9. Contact**

Neil McKillen at the Government Office for the East of England (tel: 01223 372969 or e-mail: Neil.McKillen@goeast.gsi.gov.uk) can answer any queries regarding the instrument.