
STATUTORY INSTRUMENTS

2008 No. 2867

**The Local Government (Structural Changes)
(Transitional Arrangements) (No.2) Regulations 2008**

PART 6

FUNCTIONS RELATING TO TOWN AND COUNTRY PLANNING

Continuity relevant to section 29 joint committees

24.—(1) An order under section 29 of the 2004 Act establishing a joint committee of which a predecessor council is a constituent member shall continue to have effect on and after the reorganisation date as if—

- (a) references to a predecessor council which is a district council were references to the single tier council whose area includes that of the district council;
- (b) references to the area of a predecessor council which is a district council were references to such part of the area of the single tier council as is coterminous with the area of the district council;
- (c) references to a predecessor council which is a county council were references to the single tier council referred to in sub-paragraph (a); and
- (d) references to the area of a predecessor council which is a county council were references to such part of the area of the single tier council as is referred to in sub-paragraph (b).

(2) A single tier council to which paragraph (1) applies shall be treated for the purposes of section 29 of the 2004 Act as a county council and, for the purposes of subsection (9) of that section, as a constituent authority of the joint committee.

(3) Anything which is in the process of being done by or in relation to a joint committee before the reorganisation date may be continued on and after the reorganisation date—

- (a) to the extent that it relates to a predecessor council or its area, by or in relation to the single tier council referred to in paragraph (1)(a) or the part of its area referred to in paragraph (1)(b);
- (b) to any other extent, by or in relation to any other authority (other than a predecessor council) whose functions under Part 2 of the 2004 Act have been delegated to the joint committee.

(4) Anything done by or in relation to a joint committee before the reorganisation date shall, so far as is necessary for continuing its effect on or after the reorganisation date, have effect as if done—

- (a) to the extent that it relates to a predecessor council or its area, by or in relation to the single tier council referred to in paragraph (1)(a) or the part of its area referred to in paragraph (1)(b);
- (b) to any other extent, by or in relation to any other authority (other than a predecessor council) whose functions under Part 2 of the 2004 Act have been delegated to the joint committee.

(5) Paragraphs (1) to (3) shall cease to have effect as regards an area on whichever is the earlier of—

- (a) the date on which the last of such of the documents mentioned or referred to in the agreement under section 29(1) of the 2004 Act to which the order under that section gives effect (being documents required under any provision of Part 2 of the 2004 Act to be adopted) is adopted; and
- (b) the third anniversary of the reorganisation date,

and the date so ascertained is referred to in the following paragraph as the relevant date.

(6) On the date that is the relevant date as regards an area, the order under section 29 relevant to that area shall be treated as revoked; and section 29 of the 2004 Act shall have effect as if—

- (a) the reference in subsection (5) to annulment in pursuance of a resolution of either House of Parliament were a reference to this paragraph; and
- (b) the reference in subsection (5)(a) to the date of the resolution were a reference to the relevant date.