

SCHEDULES

SCHEDULE 5

Section 85

REGIONAL STRATEGY: AMENDMENTS

Town and Country Planning Act 1990 (c. 8)

- 1 The Town and Country Planning Act 1990 is amended as follows.
- 2 (1) Section 83 (making of simplified planning zone schemes) is amended as follows.
 - (2) In subsections (1A), (2B) and (4) (as inserted by section 42 of the [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#)) for “regional spatial strategy” substitute “regional strategy”.
 - (3) After subsection (4) insert—

“(5) In this section and in Schedule 7 references to a regional strategy are to a regional strategy under Part 5 of the Local Democracy, Economic Development and Construction Act 2009”.
- 3 (1) In Schedule 1 (local planning authorities: distribution of functions), paragraph 7 (as substituted by Schedule 6 to the [Planning and Compulsory Purchase Act 2004](#)) is amended as follows.
 - (2) In sub-paragraph (2)(a), for “the RPB” substitute “the responsible regional authorities”.
 - (3) In sub-paragraph (3)—
 - (a) in paragraph (a), for “the RSS” substitute “the regional strategy”;
 - (b) in paragraph (b), for “the RPB has” substitute “the responsible regional authorities have”.
 - (4) In sub-paragraph (5)(a), for “the RPB gives” substitute “the responsible regional authorities give”.
 - (5) In sub-paragraph (7)(a), for “the RPB” substitute “the responsible regional authorities”.
 - (6) In sub-paragraph (9)(a)—
 - (a) for “the RSS” substitute “the regional strategy”;
 - (b) for “section 5(8) of the 2004 Act” substitute “section 78(1) of the Local Democracy, Economic Development and Construction Act 2009”.
 - (7) For sub-paragraph (11) substitute—

“(11) In this paragraph “responsible regional authorities”, in relation to a regional strategy, has the same meaning as in Part 5 of the Local Democracy, Economic Development and Construction Act 2009.”

- 4 In Schedule 7 (simplified planning zones), in paragraph 12(1A)(a) (as substituted by section 49(6) of the [Planning and Compulsory Purchase Act 2004](#)) for “regional spatial strategy” substitute “regional strategy under Part 5 of the Local Democracy, Economic Development and Construction Act 2009”.

Regional Development Agencies Act 1998 (c. 45)

- 5 The Regional Development Agencies Act 1998 is amended as follows.
- 6 In section 7B (Secretary of State’s functions in relation to London Development Agency strategy), for subsection (2) substitute—
- “(2) The issues mentioned in subsection (1)(b) include issues relating to any one or more of the following—
- (a) Greater London,
- (b) any area of England outside Greater London, and
- (c) any part of the United Kingdom outside England.”
- 7 Omit section 8 (regional consultation).
- 8 In section 18 (regional accountability), omit subsections (1) and (1A).

Greater London Authority Act 1999 (c. 29)

- 9 The Greater London Authority Act 1999 is amended as follows.
- 10 In section 342 (matters to which Mayor to have regard), in subsection (1)(a) (as substituted by Schedule 7 to the [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#)), for “regional spatial strategy” substitute “regional strategy under Part 5 of the Local Democracy, Economic Development and Construction Act 2009”.
- 11 In Schedule 10 (Transport for London), in paragraph 2(3A), for “regional planning body”, substitute “responsible regional authorities (within the meaning of Part 5 of the Local Democracy, Economic Development and Construction Act 2009)”.

Planning and Compulsory Purchase Act 2004 (c. 5)

- 12 The Planning and Compulsory Purchase Act 2004 is amended as follows.
- 13 Omit sections 1 to 12 (regional functions).
- 14 In section 19 (preparation of local development documents), in subsections (2)(b) and (d), for “the RSS” substitute “the regional strategy”.
- 15 (1) Section 24 (conformity with regional strategy) is amended as follows.
- (2) In subsection (1)(a), for “the RSS” substitute “the regional strategy”.
- (3) Omit subsections (2) and (3).
- (4) In subsection (5), for the words from “subsection (2)” to the end substitute “subsection (4), the Mayor may give an opinion as to the general conformity of a local development document with the spatial development strategy”.
- (5) Omit subsections (6), (8) and (9).
- 16 In section 28 (joint local development documents), in subsection (4), for “the RSS”, in both places, substitute “regional strategy”.

- 17 In section 37 (interpretation), for subsection (6) substitute—
- “(6) Regional strategy” means a regional strategy under Part 5 of the Local Democracy, Economic Development and Construction Act 2009.
- (6A) “Responsible regional authorities” is to be construed in accordance with Part 5 of the Local Democracy, Economic Development and Construction Act 2009.”
- 18 (1) Section 39 (sustainable development) is amended as follows.
- (2) In subsection (1)—
- (a) omit paragraph (a);
- (b) in paragraph (b), after “Part 2” insert “of this Act”;
- (c) in paragraph (c), after “Part 6” insert “of this Act”.
- (3) In subsection (3), for “subsection (1)(a) and (b)” substitute “subsection (1)(b)”.
- 19 (1) Section 113 (validity of strategies etc) is amended as follows.
- (2) In subsection (1)(a), for “the regional spatial strategy” substitute “the regional strategy”.
- (3) In subsection (9), for paragraph (a) substitute—
- “(a) Part 5 of the Local Democracy, Economic Development and Construction Act 2009 in the case of a revision of the regional strategy;”.
- (4) In subsection (11), for paragraph (a) substitute—
- “(a) for the purposes of a revision of the regional strategy, the date when the revision is published by the Secretary of State under Part 5 of Local Democracy, Economic Development and Construction Act 2009;”.
- (5) After subsection (11) insert—
- “(12) In this section references to a revision of the regional strategy include a revised strategy under section 79 of the Local Democracy, Economic Development and Construction Act 2009.”