

SCHEDULES

PROSPECTIVE

SCHEDULE 7

Section 97

PLAN MAKING

Commencement Information

- II** Sch. 7 not in force at Royal Assent, see [s. 255\(3\)\(b\)](#)

In Part 2 of PCPA 2004 (local development) for sections 15 to 37 (and the heading before section 15) substitute—

“Joint spatial development strategies

15A Agreements to prepare joint spatial development strategy

- (1) Two or more eligible local planning authorities may agree to prepare a joint spatial development strategy.
- (2) A local planning authority are eligible for the purposes of subsection (1) if—
 - (a) they are not a London borough council,
 - (b) their area is not within, or the same as, the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009,
 - (c) they are not prescribed as ineligible for the purposes of subsection (1),
 - (d) they are not already party to an agreement under subsection (1), and
 - (e) either—
 - (i) no joint spatial development strategy is operative in relation to the area of the authority, or
 - (ii) such a strategy is operative in relation to the area but the authority wish to enter into an agreement under subsection (1) in anticipation of the existing strategy being withdrawn or the authority withdrawing from it.
- (3) The Secretary of State may prescribe an authority under subsection (2)(c) only if the Secretary of State considers it appropriate to do so because of an exercise, or a contemplated exercise, of the powers in section 16 of the Cities and Local Government Devolution Act 2016 or [section 19](#) of the Levelling-up and Regeneration Act 2023 (powers to transfer etc public authority functions to certain local authorities).
- (4) In this section and sections [15AA](#) to [15AI](#)—

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

“the joint strategy area”, in relation to a joint spatial development strategy, means the combined area of the participating authorities;

“the participating authorities”—

(a) in relation to a joint spatial development strategy that is being (or has been) prepared but has yet to become operative, means the local planning authorities that are for the time being party to the agreement to prepare it, and

(b) in relation to a joint spatial development strategy that is operative, means the local planning authorities that have adopted it and not since withdrawn from it,

and, unless the context otherwise requires, means those authorities acting jointly under such arrangements as they put in place for the purpose;

“participating authority” is to be read accordingly;

“preparation agreement” means an agreement under subsection (1).

15AA Contents of joint spatial development strategy

- (1) A joint spatial development strategy must include a statement of the policies (however expressed) of the participating authorities, in relation to the development and use of land in the joint strategy area, which are—
 - (a) of strategic importance to that area, and
 - (b) designed to achieve objectives that relate to the particular characteristics or circumstances of that area.
- (2) A joint spatial development strategy may specify or describe infrastructure the provision of which the participating authorities consider to be of strategic importance to the joint strategy area for the purposes of—
 - (a) supporting or facilitating development in that area,
 - (b) mitigating, or adapting to, climate change, or
 - (c) promoting or improving the economic, social or environmental well-being of that area.
- (3) A joint spatial development strategy may specify or describe affordable housing the provision of which the participating authorities consider to be of strategic importance to the joint strategy area.
- (4) For the purposes of subsections (1) to (3), a matter—
 - (a) may be of strategic importance to the joint strategy area if it does not affect the whole of that area, but
 - (b) is not to be regarded as being of strategic importance to that area unless it is of strategic importance to the area of more than one of the participating authorities.
- (5) The Secretary of State may prescribe further matters the joint spatial development strategy may, or must, deal with.
- (6) A joint spatial development strategy must contain such diagrams, illustrations or other descriptive or explanatory matter relating to its contents as may be prescribed.
- (7) A joint spatial development strategy may make different provision for different cases or for different parts of the joint strategy area.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (8) A joint spatial development strategy must be designed to secure that the use and development of land in the joint strategy area contribute to the mitigation of, and adaptation to, climate change.
- (9) A joint spatial development strategy must take account of any local nature recovery strategy that relates to any part of the joint strategy area, including in particular—
- (a) the areas identified in the strategy as areas which—
 - (i) are, or could become, of particular importance for biodiversity, or
 - (ii) are areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits,
 - (b) the priorities set out in the strategy for recovering or enhancing biodiversity, and
 - (c) the proposals set out in the strategy as to potential measures relating to those priorities.
- (10) A joint spatial development strategy must not—
- (a) include anything that is not permitted or required by or under the preceding provisions of this section,
 - (b) specify particular sites where development should take place, or
 - (c) be inconsistent with or (in substance) repeat any national development management policy.

15AB Consultation on draft strategy

- (1) Before any of the participating authorities adopt a joint spatial development strategy, the participating authorities must—
- (a) prepare a draft of their proposed strategy,
 - (b) make copies available for inspection at such places as may be prescribed,
 - (c) send a copy to each of the bodies and persons specified in subsection (2),
 - (d) comply with any requirements imposed by regulations under [section 15LE](#), and
 - (e) consider any representations made in accordance with such regulations.
- (2) The bodies and persons mentioned in subsection (1)(c) are—
- (a) the Secretary of State,
 - (b) any county council that are not a participating authority but any part of whose area forms part of the joint strategy area,
 - (c) the council of any county or district whose area adjoins the joint strategy area and is affected by the proposed strategy,
 - (d) such other persons or bodies as may be prescribed, and
 - (e) any other body to which, or person to whom, the participating authorities consider it appropriate to send a copy.
- (3) In determining the bodies to which it is appropriate to send a copy of the strategy under subsection (2)(e) (if any), the bodies to whom the participating authorities consider sending a copy must include—
- (a) voluntary bodies some or all of whose activities benefit the whole or part of the joint strategy area,
 - (b) bodies which represent the interests of different racial, ethnic or national groups in the joint strategy area,

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (c) bodies which represent the interests of different religious groups in the joint strategy area, and
 - (d) bodies which represent the interests of different persons carrying on business in the joint strategy area.
- (4) Each copy made available for inspection or sent under subsection (1) must be accompanied by a statement of the prescribed period within which representations may be made to the participating authorities.
- (5) The persons who may make representations in accordance with the regulations include, in particular, the bodies and persons specified in subsection (2).
- (6) In this section and sections 15AD and 15AG, “representations made in accordance with the regulations” means representations made—
- (a) in accordance with regulations made under this Part; and
 - (b) within the prescribed period.
- (7) In this section “the prescribed period” means such period as may be prescribed by, or determined in accordance with, regulations made by the Secretary of State.

15AC Public examination

- (1) Before any of the participating authorities adopt a joint spatial development strategy, the participating authorities must, unless the Secretary of State otherwise directs, cause an examination in public to be held in relation to the proposed strategy.
- (2) The following provisions of this section have effect in relation to an examination in public under subsection (1).
- (3) An examination in public is to be conducted by a person appointed by the Secretary of State for the purpose.
- (4) The matters examined at an examination in public are to be such matters affecting the consideration of the joint spatial development strategy as the person conducting the examination in public may consider ought to be so examined.
- (5) The person conducting an examination in public must make a report to the participating authorities.
- (6) No person is to have a right to be heard at an examination in public.
- (7) The following may take part in an examination in public—
- (a) the participating authorities, and
 - (b) any person invited to do so by the person conducting the examination in public.

15AD Adoption of strategy

- (1) Subject to the following provisions of this section, each of the participating authorities may, by resolution, adopt the joint spatial development strategy prepared by them.
- (2) The joint spatial development strategy adopted by the participating authorities must be in the form of the draft prepared under section 15AB(1)(a), either as originally prepared or as modified to take account of—

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (a) any representations made in accordance with the regulations (see section 15AB(6)),
 - (b) any direction given under subsection (7) (and not withdrawn),
 - (c) any report made under section 15AC by a person conducting an examination in public,
 - (d) the withdrawal of a participating authority under section 15AG(3),
 - (e) any national development management policies so far as material, or
 - (f) any other material considerations.
- (3) Subsection (2) is subject to the following provisions of this section.
- (4) The joint spatial development strategy must not be adopted by any of the participating authorities until after—
- (a) the participating authorities have considered any representations made in accordance with the regulations, or
 - (b) if no such representations are made, the expiry of the prescribed period;
- and, in either case, until after the report of the person conducting the examination in public under section 15AC has been made (unless no such examination is to be held).
- (5) The joint spatial development strategy may not be adopted by a participating authority in relation to whose area a joint spatial development strategy is already operative.
- (6) If at any time it appears to the Secretary of State that it is expedient to do so for the purpose of avoiding—
- (a) any inconsistency with current national policies, or
 - (b) any detriment to the interests of an area outside the joint strategy area,
- the Secretary of State may, at any time before any of the participating authorities have adopted the joint spatial development strategy, give the participating authorities a direction under subsection (7).
- (7) A direction under this subsection is a direction to the participating authorities not to adopt the joint spatial development strategy except in a form which includes modifications to the proposed joint spatial development strategy in such respects as are indicated in the direction, in order to—
- (a) remove the inconsistency mentioned in subsection (6)(a), or
 - (b) avoid the detriment mentioned in subsection (6)(b).
- (8) Where a direction under subsection (7) is given, none of the participating authorities may adopt the joint spatial development strategy unless—
- (a) the participating authorities satisfy the Secretary of State that they have made the modifications necessary to conform with the direction, or
 - (b) the direction is withdrawn.
- (9) A joint spatial development strategy becomes operative on the date on which, having been adopted by each participating authority, it is published by the participating authorities together with a statement that it has been so adopted.
- (10) In this section “the prescribed period” means such period as may be prescribed by, or determined in accordance with, regulations made by the Secretary of State.

15AE Review and monitoring

- (1) This section applies if a joint spatial development strategy is operative.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (2) The participating authorities must keep under review the matters which may be expected to affect the development of the joint strategy area or the planning of its development or which are otherwise relevant to the content of the strategy.
- (3) For the purpose of discharging their functions under subsection (2) of keeping under review any matters relating to the area of a local planning authority outside the joint strategy area, the participating authorities must consult that local planning authority about those matters.
- (4) The participating authorities must review the strategy from time to time.
- (5) If the Secretary of State so directs, the participating authorities must, within such time as may be specified in the direction, review the strategy or such part of it as may be specified in the direction.
- (6) The participating authorities must—
 - (a) monitor the implementation of the strategy, and
 - (b) monitor, and collect information about, matters relevant to the review, alteration or implementation of the strategy.

15AF Alteration of strategy

- (1) If a joint spatial development strategy is operative, the participating authorities may at any time prepare and adopt alterations of the strategy.
- (2) The Secretary of State may direct the participating authorities to exercise the power in subsection (1) in such manner and within such time as are specified in the direction.
- (3) Sections 15AB to 15AD apply in relation to the preparation and adoption of an alteration under subsection (1) as they apply in relation to the preparation and adoption of a joint spatial development strategy; and the strategy as altered must still conform to section 15AA.
- (4) But sections 15AB and 15AC do not apply in relation to an alteration if—
 - (a) the alteration is made in response to the withdrawal of a participating authority under section 15AH(2), and
 - (b) the strategy as altered will have substantially the same effect in relation to the joint strategy area (as it stands following the withdrawal) as it had in relation to that area before the alteration.

15AG Withdrawal before strategy becomes operative

- (1) This section applies if a preparation agreement is in force but the joint spatial development strategy to which the agreement relates (“the proposed strategy”) has not become operative.
- (2) A participating authority may withdraw from the agreement before the proposed strategy is published for consultation.
- (3) A participating authority may withdraw from the agreement after the proposed strategy is published for consultation if they have given at least 12 weeks’ notice to each other participating authority of their intention to do so.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (4) A participating authority that have adopted the strategy under section 15AD(1) may not withdraw from the agreement under subsection (3) unless they have first rescinded the resolution adopting the strategy.
- (5) A withdrawal under subsection (2) or (3) is effected by notice given to each other participating authority.
- (6) The participating authorities may cancel the agreement at any time.
- (7) If the withdrawal of a participating authority under subsection (2) or (3) means that there are no longer two or more participating authorities, the agreement is deemed to be cancelled under subsection (6).
- (8) The participating authorities may, and if the agreement is cancelled must, withdraw the proposed strategy if it has been published for consultation.
- (9) On the withdrawal of the proposed strategy, the participating authorities must—
 - (a) withdraw the copies made available for inspection under section 15AB(1)(b), and
 - (b) give notice of the withdrawal to—
 - (i) each body or person to whom a copy was sent under section 15AB(1)(c), and
 - (ii) any other body or person who made representations in accordance with the regulations (see section 15AB(6));and any participating authority that have adopted the strategy are deemed to rescind the resolution by which they did so.
- (10) In the application of subsections (8) and (9) where the agreement has been cancelled, the “participating authorities” are to be taken to be the authorities that were the participating authorities immediately before the cancellation.
- (11) If—
 - (a) a participating authority withdraw from the agreement under subsection (3),
 - (b) the agreement is not cancelled under subsection (6), and
 - (c) but for this subsection, the remaining participating authorities would, in response to the withdrawal, modify the proposed strategy so that it would have a substantially different effect on the joint strategy area (as it stands following the withdrawal) from that which the version published for consultation would have had on that area,the participating authorities must, instead of modifying the proposed strategy, withdraw it under subsection (8).
- (12) For the purposes of this section and section 15AI, a proposed strategy is “published for consultation” when a draft of it is made available for inspection under section 15AB(1)(b) or sent to any person under section 15AB(1)(c).
- (13) If a proposed strategy is withdrawn under subsection (8), the fact that the strategy was published for consultation is to be disregarded for the purposes of subsections (2) and (3).

15AH Withdrawal after strategy becomes operative

- (1) This section applies if a joint spatial development strategy is operative.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (2) A participating authority may withdraw from the strategy if—
 - (a) the period of five years beginning with the day on which the strategy became operative has elapsed, and
 - (b) the authority have given at least 12 weeks' notice to the other participating authorities of their intention to do so.
- (3) A withdrawal under subsection (2) is effected by notice given to each other participating authority.
- (4) The participating authorities may withdraw the strategy at any time.
- (5) If the withdrawal of a participating authority under subsection (2) means that there are no longer two or more participating authorities, the joint spatial development strategy is to be treated as having been withdrawn under subsection (4).
- (6) The Secretary of State may direct the participating authorities to withdraw the strategy if the Secretary of State thinks that the strategy is unsatisfactory.
- (7) If a participating authority withdraw from the strategy, the other participating authorities must consider whether to alter the strategy under section 15AF or withdraw it under subsection (4).
- (8) If a participating authority withdraw from the strategy, the strategy ceases to be operative in relation to the area of that authority (irrespective of whether it is altered under section 15AF).

15AI Effect of creation of combined authority in joint strategy area

- (1) This section applies if an order is made under section 103 of the Local Democracy, Economic Development and Construction Act 2009 establishing a combined authority the area of which includes, or is the same as, the area of a participating authority.
- (2) Subsection (3) or (4) applies if the order is made before the proposed joint spatial development strategy is published for consultation (see section 15AG(12)).
- (3) If the areas of at least two of the participating authorities are outside the area of the combined authority, each participating authority whose area is within the area of the combined authority are deemed, on the making of the order, to withdraw from the preparation agreement under section 15AG(2).
- (4) If the area of none or only one of the participating authorities is outside the area of the combined authority, the preparation agreement is deemed, on the making of the order, to be cancelled under section 15AG(6).
- (5) Subsection (6) or (7) applies if the order is made after the proposed joint spatial development strategy is published for consultation but before the joint spatial development strategy becomes operative.
- (6) If the areas of at least two of the participating authorities are outside the area of the combined authority, each participating authority whose area is within the area of the combined authority are deemed, on the making of the order—
 - (a) to withdraw from the preparation agreement under section 15AG(3) (despite not having given notice as required by that provision), and
 - (b) to rescind any resolution adopting the strategy.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (7) If the area of none or only one of the participating authorities is outside the area of the combined authority, the preparation agreement is deemed, on the making of the order, to be cancelled under section [15AG\(6\)](#).
- (8) Subsection (9) or (10) applies if—
 - (a) the joint spatial development strategy is operative, and
 - (b) the combined authority adopts a spatial development strategy for its area.
- (9) If the areas of at least two of the participating authorities are outside the area of the combined authority, each participating authority whose area is within the area of the combined authority is deemed, on the adoption of the strategy by the combined authority, to withdraw from the joint spatial development strategy under section [15AH\(2\)](#) (even if the conditions in that provision are not met).
- (10) If the area of none or only one of the participating authorities is outside the area of the combined authority, the joint spatial development strategy is deemed, on the adoption of the strategy by the combined authority, to be withdrawn under section [15AH\(4\)](#).
- (11) If a proposed strategy is withdrawn under section [15AG\(8\)](#), the fact that the strategy was published for consultation is to be disregarded for the purposes of subsections (2) and (5).

Plan timetables

15B Local plan timetable

- (1) Each local planning authority must prepare and maintain a document to be known as their “local plan timetable”.
- (2) The local plan timetable must specify—
 - (a) the matters which the authority’s local plan for their area is to deal with,
 - (b) the geographical area to which the authority’s local plan is to relate,
 - (c) any supplementary plans which the authority are to prepare,
 - (d) the subject matter and geographical area, site or sites to which each of those supplementary plans is to relate,
 - (e) how the authority propose to comply with the requirement in [section 15F\(1\)](#) (requirement in relation to design code),
 - (f) whether the authority’s local plan for their area is to be a joint local plan and, if so, each other local planning authority for whose area the joint local plan is to be their local plan,
 - (g) whether the authority are to prepare a joint supplementary plan and, if so, each other local planning authority who are to prepare that joint supplementary plan with them,
 - (h) any matter or area in respect of which the authority have agreed (or propose to agree) to the constitution of a joint committee under [section 15J](#), and
 - (i) a timetable for the preparation of the authority’s local plan for their area, and any supplementary plans the authority are to make, which is consistent with this Part and any regulations made under it.
- (3) If the local planning authority’s local plan for their area is to be a joint local plan, or the authority is to prepare one or more joint supplementary plans, the timetable for each joint plan, specified in the local plan timetable in accordance with [subsection \(2\)\(i\)](#),

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

must be consistent with the timetable for that plan in the local plan timetable prepared by each other local planning authority who are to prepare that plan.

- (4) If the local planning authority are a minerals and waste planning authority, the local plan timetable may incorporate the authority's minerals and waste plan timetable.
- (5) The Secretary of State may prescribe—
 - (a) the form and content of the local plan timetable;
 - (b) further matters which the local plan timetable must deal with.
- (6) If a local planning authority have not prepared a local plan timetable, the Secretary of State or the Mayor of London may—
 - (a) prepare a local plan timetable for the authority, and
 - (b) direct the authority to bring that timetable into effect.
- (7) The Secretary of State or the Mayor of London may direct the local planning authority to make such amendments to the local plan timetable as the Secretary of State or (as the case may be) Mayor thinks appropriate for the purpose of ensuring full and effective coverage (both geographically and with regard to subject matter) of the authority's area by the development plan for that area.
- (8) To bring the local plan timetable into effect, the local planning authority must publish it, together with a statement that the timetable is to have effect.
- (9) Once the local plan timetable has effect, the local planning authority must comply with it.
- (10) The Secretary of State may by regulations make provision as to when, or the circumstances in which, a local planning authority must revise their local plan timetable (and that provision may confer a power to direct that a local plan timetable is to be revised).
- (11) Subsections (1) to (9) and [section 15BA](#) apply to the revision of a local plan timetable as they apply to the preparation of a local plan timetable.
- (12) For further provision about directions under subsection (6) or (7), see [section 15BA](#).

15BA Local plan timetable: further provision about directions under [section 15B](#)

- (1) The Mayor of London—
 - (a) may give a direction under [section 15B\(6\)](#) or (7) only if the local planning authority are a London borough council, and
 - (b) in considering whether to give such a direction, and which amendments to include in the direction, must have regard to any guidance issued by the Secretary of State.
- (2) A direction under [section 15B\(6\)](#) or (7) must contain the Secretary of State's, or (as the case may be) the Mayor of London's, reasons for giving it.
- (3) If at any time the Mayor of London gives a direction under [section 15B\(6\)](#) or (7)—
 - (a) the Mayor must at that time send a copy of the direction to the Secretary of State, and
 - (b) the direction is not to be given effect until such time as may be prescribed.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (4) The Secretary of State may, within such time as may be prescribed, direct the local planning authority—
 - (a) to disregard a direction given under [section 15B\(6\)](#) or [\(7\)](#) by the Mayor of London, or
 - (b) to give effect to the direction with such modifications as may be specified in the Secretary of State’s direction.
- (5) Such a direction must contain the Secretary of State’s reasons for giving it.
- (6) If at any time the Secretary of State gives a direction under [subsection \(4\)](#), the Secretary of State must at that time send a copy of the direction to the Mayor of London.
- (7) Section 38(1) of the Greater London Authority Act 1999 (delegation of functions by the Mayor) does not apply to the Mayor of London’s functions under [section 15B\(6\)](#) or [\(7\)](#) of giving a direction.

15BB Minerals and waste plan timetable

- (1) Each minerals and waste planning authority must prepare and maintain a document to be known as their “minerals and waste plan timetable”.
- (2) The minerals and waste plan timetable must specify—
 - (a) the matters which will be dealt with by the minerals and waste plan for the relevant area,
 - (b) the geographical area to which the authority’s minerals and waste plan is to relate,
 - (c) any supplementary plans which the minerals and waste planning authority are to make,
 - (d) the subject matter and geographical area, site or sites to which each supplementary plan is to relate,
 - (e) whether the minerals and waste plan for the authority’s area is to be a joint minerals and waste plan and, if so, each other minerals and waste planning authority for whose relevant area the joint minerals and waste plan is to be the minerals and waste plan,
 - (f) whether the authority are to prepare a joint supplementary plan and, if so, each other minerals and waste planning authority who are to prepare that joint supplementary plan with them, and
 - (g) a timetable for the preparation of the minerals and waste plan for the relevant area, and any supplementary plans the authority are to make, which is consistent with this Part and any regulations made under it.
- (3) If the minerals and waste plan for the relevant area is to be a joint minerals and waste plan, or the authority is to prepare one or more joint supplementary plans, the timetable for each joint plan, specified in the minerals and waste plan timetable in accordance with [subsection \(2\)\(g\)](#), must be consistent with the timetable for that plan in the minerals and waste plan timetable prepared by each other minerals and waste planning authority who are to prepare that plan.
- (4) Sections [15B\(5\)](#) to [\(12\)](#), [15BA](#) and [15LE](#) apply in relation to a minerals and waste plan timetable as they apply in relation to a local plan timetable and for that purpose—
 - (a) references to a local plan timetable are to be read as references to a minerals and waste plan timetable,

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (b) references to a local plan are to be read as references to a minerals and waste plan,
 - (c) references to a local planning authority are to be read as references to a minerals and waste planning authority, and
 - (d) references to a local planning authority’s area are to be read as references to a minerals and waste planning authority’s relevant area.
- (5) In this section “joint minerals and waste plan” means a minerals and waste plan prepared jointly by two or more minerals and waste planning authorities for their combined relevant areas under sections 15I and 15IA (as applied by section 15CB(8)).

Local, minerals and waste and supplementary plans

15C Local plans

- (1) Each local planning authority must prepare a document to be known as their “local plan”.
- (2) Only one local plan may have effect in relation to a local planning authority’s area at any one time.
- (3) The local plan must set out policies of the local planning authority (however expressed) in relation to the amount, type and location of, and timetable for, development in the local planning authority’s area.
- (4) The local plan may include—
 - (a) other policies (however expressed) in relation to the use or development of land in the local planning authority’s area which are designed to achieve objectives that relate to the particular characteristics or circumstances of their area, any part of their area or one or more specific sites in their area;
 - (b) details of any infrastructure requirements, or requirements for affordable housing, to which development in accordance with the policies, included in the plan under subsection (3) or paragraph (a) of this subsection, would give rise;
 - (c) requirements with respect to design that relate to development, or development of a particular description, throughout the local planning authority’s area, in any part of their area or at one or more specific sites in their area, which the local planning authority consider should be met for planning permission for the development to be granted.
- (5) The Secretary of State may prescribe further matters which the local plan may, or must, deal with.
- (6) The local plan must be designed to secure that the use and development of land in the local planning authority’s area contribute to the mitigation of, and adaptation to, climate change.
- (7) The local plan must take account of any local nature recovery strategy that relates to all or part of the local planning authority’s area, including in particular—
 - (a) the areas identified in the strategy as areas which—
 - (i) are, or could become, of particular importance for biodiversity, or
 - (ii) are areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits,

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (b) the priorities set out in the strategy for recovering or enhancing biodiversity, and
 - (c) the proposals set out in the strategy as to potential measures relating to those priorities.
- (8) The local plan must take account of an assessment of the amount, and type, of housing that is needed in the local planning authority’s area, including the amount of affordable housing that is needed.
- (9) The local plan must not—
- (a) include anything that is not permitted or required by or under subsections (3) to (5) or (10) or regulations under [section 15CA\(8\)\(a\)](#), or
 - (b) be inconsistent with or (in substance) repeat any national development management policy.
- (10) References in this section to development do not include minerals and waste development, but where the local planning authority is the minerals and waste planning authority for any part of their area, their local plan may incorporate all or part of their minerals and waste plan.

15CA Local plans: preparation and further provision

- (1) A local plan must be prepared in accordance with the local planning authority’s local plan timetable.
- (2) A local plan must be in general conformity with the spatial development strategy, if one is operative in relation to the area of the local planning authority.
- (3) The local planning authority must, at such times as may be prescribed, seek observations or advice in relation to a proposed local plan, from a person appointed by the Secretary of State.
- (4) The Secretary of State may require the local planning authority to—
 - (a) reimburse the Secretary of State for any expenditure incurred by the Secretary of State in, or in connection with, appointing a person under subsection (3), or
 - (b) pay any fees and expenses of a person appointed by the Secretary of State under subsection (3).
- (5) The local planning authority must, as soon as is reasonably practicable, publish any observations or advice they receive from a person appointed by the Secretary of State under [subsection \(3\)](#).
- (6) In preparing their local plan, a local planning authority must have regard to—
 - (a) any observations or advice received from a person appointed by the Secretary of State under [subsection \(3\)](#),
 - (b) any responses to a consultation, provided for in regulations under [section 15LE](#), in connection with the preparation of the local plan,
 - (c) national development management policies,
 - (d) other national policies and advice contained in guidance issued by the Secretary of State,
 - (e) the National Planning Framework for Scotland, if any part of the authority’s area adjoins Scotland,

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (f) the National Development Framework for Wales, if any part of the authority’s area adjoins Wales,
 - (g) any other part of the development plan for the authority’s area which has effect,
 - (h) any neighbourhood priorities statement—
 - (i) which has effect for part of the authority’s area, and
 - (ii) to which the authority has not already had regard in preparing another local plan previously adopted or approved under this Part, and
 - (i) such other matters as the Secretary of State prescribes.
- (7) A local plan has effect only in so far as it or any part of it is adopted or approved under this Part.
- (8) Regulations made by the Secretary of State may—
- (a) prescribe the form and content of a local plan;
 - (b) make provision as to any further documents which must be prepared by the authority in connection with the preparation of a local plan (including the form and content of such documents);
 - (c) prescribe the nature of the observations or advice which must be sought under [subsection \(3\)](#);
 - (d) prescribe documents or information which must be provided by the local planning authority to a person appointed by the Secretary of State under [subsection \(3\)](#) (including the form and content of such documents);
 - (e) prescribe the form and content of observations or advice provided under [subsection \(3\)](#);
 - (f) prescribe when the local planning authority is to have regard to something mentioned in [subsection \(6\)](#);
 - (g) prescribe when any step in, or in connection with, the preparation of the local plan must be taken;
 - (h) make provision as to when, or in what circumstances, a new local plan is to be prepared to replace the existing one.

15CB Minerals and waste plan

- (1) Each minerals and waste planning authority must, in respect of their relevant area, prepare one or more documents which are to be known collectively as their “minerals and waste plan”.
- (2) The minerals and waste plan must set out policies of the minerals and waste planning authority (however expressed) in relation to the amount, type and location of, and timetable for, minerals and waste development, in the relevant area.
- (3) The minerals and waste plan may include—
 - (a) other policies (however expressed) in relation to—
 - (i) minerals and waste development in the relevant area, which are designed to achieve objectives that relate to the particular characteristics or circumstances of that area, any part of that area or one or more specific sites in that area;
 - (ii) development other than minerals and waste development, which are designed to secure that minerals and waste development in the relevant area can take place;

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (b) details of any infrastructure requirements to which minerals and waste development in accordance with the policies, included in the plan under [subsection \(2\)](#) or [paragraph \(a\)](#) of this subsection, would give rise.
- (4) The Secretary of State may prescribe further matters relating to minerals and waste development which the minerals and waste plan may, or must, deal with.
- (5) The minerals and waste plan must be designed to secure that minerals and waste development in the relevant area contributes to the mitigation of, and adaptation to, climate change.
- (6) The minerals and waste plan must take account of any local nature recovery strategy that relates to all or part of the relevant area, including in particular—
 - (a) the areas identified in the strategy as areas which—
 - (i) are, or could become, of particular importance for biodiversity, or
 - (ii) are areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits,
 - (b) the priorities set out in the strategy for recovering or enhancing biodiversity, and
 - (c) the proposals set out in the strategy as to potential measures relating to those priorities.
- (7) The minerals and waste plan must not—
 - (a) include anything that is not permitted or required by or under [subsections \(2\) to \(4\)](#) or regulations under [section 15CA\(8\)\(a\)](#) (as applied by [subsection \(8\)](#)), or
 - (b) be inconsistent with or (in substance) repeat any national development management policy.
- (8) This Part applies in relation to a minerals and waste plan as it applies in relation to a local plan and for that purpose—
 - (a) references to a local plan timetable are to be read as references to a minerals and waste plan timetable,
 - (b) references to a local plan are to be read as references to a minerals and waste plan,
 - (c) references to a local planning authority are to be read as references to a minerals and waste planning authority, and
 - (d) references to a local planning authority’s area are to be read as references to a minerals and waste planning authority’s relevant area.
- (9) [Subsection \(8\)](#) is subject to such modifications of this Part, as it applies in relation to a minerals and waste plan, as may be prescribed.
- (10) [Subsection \(8\)](#) does not apply to—
 - (a) [sections 15B and 15BA](#);
 - (b) [section 15C](#);
 - (c) [section 15CC](#);
 - (d) [sections 15J to 15JB](#);
 - (e) [section 15LB\(2\)](#);
 - (f) [sections 15LC\(3\)\(c\) and 15LD](#).

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

15CC Supplementary plans

- (1) Each relevant plan-making authority may prepare one or more documents, each of which is to be known as a “supplementary plan”.
- (2) A supplementary plan prepared by the Mayor of London may include requirements with respect to design that relate to development, or development of a particular description, throughout Greater London, which the Mayor considers should be met for planning permission for the development to be granted.
- (3) A supplementary plan prepared by a local planning authority may include—
 - (a) policies (however expressed) in relation to the amount, type and location of, or timetable for, development at a specific site in their area or at two or more specific sites in their area which the authority consider to be nearby to each other;
 - (b) other policies (however expressed) in relation to the use or development of land in the local planning authority’s area which are designed to achieve objectives that relate to the particular characteristics or circumstances of a specific site in their area or two or more specific sites in their area which the authority consider to be nearby to each other;
 - (c) details of any infrastructure requirements, or requirements for affordable housing, to which development in accordance with any policies, included in the plan under [paragraph \(a\)](#) or [\(b\)](#), would give rise;
 - (d) requirements with respect to design that relate to development, or development of a particular description, throughout the local planning authority’s area, in any part of their area or at one or more specific sites in their area, which the local planning authority consider should be met for planning permission for the development to be granted.
- (4) References in [subsection \(3\)](#) to development do not include minerals and waste development.
- (5) A supplementary plan prepared by a minerals and waste planning authority may include—
 - (a) policies (however expressed) in relation to the amount, type and location of, or timetable for, minerals and waste development at one or more specific sites in the relevant area or at two or more specific sites in that area which the authority consider to be nearby to each other;
 - (b) other policies (however expressed) in relation to—
 - (i) minerals and waste development in the relevant area which are designed to achieve objectives that relate to the particular characteristics or circumstances of a specific site in that area or two or more specific sites in that area which the authority consider to be nearby to each other;
 - (ii) development other than minerals and waste development, which are designed to secure that minerals and waste development can take place at a specific site in the relevant area or two or more specific sites in that area which the authority consider to be nearby to each other;
 - (c) details of any infrastructure requirements to which minerals and waste development in accordance with any policies, included in the plan under [paragraph \(a\)](#) or [\(b\)](#), would give rise.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (6) The Secretary of State may prescribe further matters which a supplementary plan may include.
- (7) A supplementary plan must be in general conformity with the spatial development strategy, if one is operative in relation to the area or a site to which the plan relates.
- (8) In preparing a supplementary plan, the relevant plan-making authority must have regard to any other part of the development plan which has effect for the area or a site to which the plan relates.
- (9) So far as the relevant plan-making authority consider appropriate, having regard to the subject matter of the supplementary plan, the plan must—
 - (a) be designed to secure that the development and use of land in the authority's area contribute to the mitigation of, and adaptation to, climate change, and
 - (b) take account of any local nature recovery strategy which relates to all or part of the area to which the plan relates or to an area in which a site to which the plan relates is located, including in particular—
 - (i) the areas identified in the strategy as areas which—
 - (A) are, or could become, of particular importance for biodiversity, or
 - (B) are areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits,
 - (ii) the priorities set out in the strategy for recovering or enhancing biodiversity, and
 - (iii) the proposals set out in the strategy as to potential measures relating to those priorities.
- (10) A supplementary plan must not—
 - (a) include anything which is not permitted or required by or under subsections (2) to (6), or
 - (b) be inconsistent with or (in substance) repeat any national development management policy.
- (11) The Secretary of State may by regulations make provision about the preparation, withdrawal or revision of supplementary plans.
- (12) Regulations under subsection (11)—
 - (a) may apply, or make provision corresponding to, any provision made by or under this Part in relation to the preparation, withdrawal or revision of a local plan, with or without modifications;
 - (b) must require a proposed supplementary plan to be the subject of consultation with the public.
- (13) A supplementary plan has effect only in so far as it or any part of it is adopted or approved under this Part.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

Examination of plans

15D Independent examination: local plans

- (1) A local planning authority must submit their proposed local plan to the Secretary of State for independent examination if a person appointed by the Secretary of State under [section 15CA\(3\)](#) advises that the prescribed requirements are met in relation to the plan.
- (2) The authority must also send or make available to the Secretary of State (in addition to the local plan) such other documents (or copies of documents) and such information as is prescribed.
- (3) The Secretary of State may prescribe the manner in which the local plan, or any document or information to be sent under [subsection \(2\)](#), is to be sent.
- (4) The examination must be carried out by a person appointed by the Secretary of State (“the examiner”).
- (5) The purpose of the independent examination is to determine whether it is reasonable to conclude that the local plan is sound.
- (6) Any person who makes representations in relation to the local plan must (if that person so requests) be given the opportunity to appear before and be heard by the examiner.
- (7) At any time before the examiner makes a recommendation under any of the following subsections, if the examiner considers that—
 - (a) certain matters need to be dealt with in order for it to become reasonable to conclude that the local plan is sound, and
 - (b) those matters could be dealt with by pausing the examination under [section 15DA](#) for further work to be carried out,
 the examiner may decide that the examination is to be so paused.
- (8) The Secretary of State may by notice to the examiner—
 - (a) direct the examiner not to take any step, or any further step, in connection with the examination of the local plan, or of a specified part of it, until a specified time or until the direction is withdrawn;
 - (b) require the examiner—
 - (i) to consider any specified matters;
 - (ii) to give an opportunity, or further opportunity, to specified persons to appear before and be heard by the examiner;
 - (iii) to take any specified procedural step in connection with the examination.

In this subsection “specified” means specified in the notice.

- (9) Where the examiner—
 - (a) has carried out the examination, and
 - (b) considers that, in all the circumstances, it would be reasonable to conclude that the local plan is sound,
 the examiner must recommend that the local plan is adopted and give reasons for the recommendation.

- (10) Subsections [\(11\)](#) and [\(12\)](#) apply where the examiner—

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (a) has carried out the examination, and
 - (b) is not required by [subsection \(9\)](#) to recommend that the local plan is adopted.
- (11) If the examiner considers that, if certain modifications were made to the local plan, it would become reasonable to conclude that the plan is sound, the examiner must—
- (a) recommend that those modifications are made and that the plan is then adopted, and
 - (b) give reasons for the recommendation.
- (12) If the examiner is not required by [subsection \(11\)](#) to recommend that the local plan is adopted with modifications and the examination is not paused or to be paused under [section 15DA](#), the examiner must—
- (a) recommend that the local plan is withdrawn, and
 - (b) give reasons for the recommendation.
- (13) The local planning authority must publish the recommendations and reasons they receive under this section.

15DA Pause of independent examination for further work

- (1) This section applies if the examiner decides under [section 15D\(7\)](#) that the examination under that section is to be paused under this section for further work to be carried out.
- (2) The examiner must notify the local planning authority and the Secretary of State—
- (a) that the examiner has taken that decision,
 - (b) of the matters which the examiner considers need to be dealt with in order for it to become reasonable to conclude that the local plan is sound, and
 - (c) of the period for which the examination under [section 15D](#) is to be paused under this section (“the pause period”).
- (3) The pause period may not—
- (a) begin earlier than the day on which notice is given to the local planning authority under [subsection \(2\)](#), nor
 - (b) be longer than such period as may be prescribed
- (4) The examination under [section 15D](#) is suspended at the beginning of the pause period.
- (5) During the pause period, the local planning authority must take steps to deal with the matters notified to them under [subsection \(2\)\(b\)](#).
- (6) Before the end of the pause period, the local planning authority must send to the examiner—
- (a) a document—
 - (i) setting out what the authority have done during the pause period to deal with the matters notified to them under [subsection \(2\)\(b\)](#), and
 - (ii) setting out any modifications to the local plan that the authority propose to make in order to make it sound or stating that the authority do not propose to make any such modifications, and
 - (b) any further evidence as to the soundness of the plan which the local planning authority may have.
- (7) The local planning authority must publish the document and any evidence sent under [subsection \(6\)](#).

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (8) If the examiner considers, at the end of the pause period, that the matters notified to the local planning authority under [subsection \(2\)\(b\)](#) have not been dealt with, with the result that there is no prospect of it becoming reasonable to conclude that the local plan is sound, the examiner must—
 - (a) recommend that the local plan is withdrawn, and
 - (b) give reasons for the recommendation.
- (9) If the examiner does not make a recommendation under [subsection \(8\)](#), the examination under [section 15D](#) is resumed.
- (10) The local planning authority must publish any recommendation and reasons they receive under this section.

15DB Independent examination: supplementary plans

- (1) A relevant plan-making authority must submit each supplementary plan that they propose to adopt for independent examination.
- (2) The supplementary plan must be submitted to—
 - (a) the Secretary of State, in order for the examination to be carried out by a person appointed by the Secretary of State, or
 - (b) a person who, in the opinion of the relevant plan-making authority—
 - (i) is independent of the authority,
 - (ii) does not have an interest in any land that may be affected by the supplementary plan, and
 - (iii) has appropriate qualifications and experience.
- (3) In the following provisions of this section, the person appointed by the Secretary of State under [paragraph \(a\)](#) of [subsection \(2\)](#), or (as the case may be) the person to whom the supplementary plan is submitted under [paragraph \(b\)](#) of that subsection, is “the examiner”.
- (4) The authority must also send or make available to the examiner (in addition to the supplementary plan) such other documents (or copies of documents) and such information as is prescribed.
- (5) The purpose of the independent examination is to determine in respect of the supplementary plan—
 - (a) whether the requirements of [section 15CC](#), and regulations under [subsection \(11\)](#) of that section relating to the preparation of the plan, have been met, and
 - (b) whether the relevant plan-making authority have had regard to any guidance issued by the Secretary of State which may be relevant.
- (6) The general rule is that the independent examination is to take the form of written representations.
- (7) But the examiner must cause a hearing to be held for the purposes of receiving oral representations in any case where the examiner considers that the consideration of oral representations is necessary to ensure adequate examination of an issue or that a person has a fair chance to put a case.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (8) If a hearing is held under [subsection \(7\)](#), any person who makes representations about the matters mentioned in [subsection \(5\)](#) must (if that person so requests) be given the opportunity to appear before and be heard by the examiner
- (9) Where the examiner considers that, in all the circumstances, it would be reasonable to conclude—
- (a) that the requirements mentioned in [subsection \(5\)\(a\)](#) have been met, and
 - (b) the relevant plan-making authority have had regard to any guidance issued by the Secretary of State which may be relevant,
- the examiner must recommend that the supplementary plan is adopted and give reasons for the recommendation.
- (10) Subsections [\(11\)](#) and [\(12\)](#) apply where the examiner—
- (a) has carried out the examination, and
 - (b) is not required by [subsection \(9\)](#) to recommend that the supplementary plan is adopted.
- (11) If the examiner considers that—
- (a) certain modifications of the supplementary plan would result in it being reasonable to conclude, in all the circumstances, that the requirements mentioned in [subsection \(5\)\(a\)](#) are met, and
 - (b) it is, in all the circumstances, reasonable to conclude that the relevant plan-making authority have had regard to any guidance issued by the Secretary of State which may be relevant,
- the examiner must recommend that those modifications are made and that the plan is then adopted and give reasons for the recommendation.
- (12) Where the examiner has carried out the examination and is not required by [subsection \(11\)](#) to recommend that the supplementary plan is adopted with modifications, the examiner must—
- (a) recommend that the supplementary plan is withdrawn, and
 - (b) give reasons for the recommendation.
- (13) The relevant plan-making authority must publish the recommendations and reasons they receive under this section.

Withdrawal and adoption of plans

15E Withdrawal of a local plan

- (1) A local planning authority may, at any time before they are required to submit a local plan for independent examination under [section 15D](#), withdraw the plan.
- (2) After a local plan has been submitted for independent examination, the local planning authority may only withdraw the plan—
- (a) if the person appointed to carry out the examination recommends that they do so and the Secretary of State has not directed that it is not to be withdrawn, or
 - (b) the Secretary of State directs that the plan is to be withdrawn.
- (3) The Secretary of State may at any time—
- (a) after a local plan has been submitted for independent examination under [section 15D](#), but

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

(b) before it is adopted under [section 15EA](#),
direct the local planning authority to withdraw the plan.

15EA Adoption of local plan or supplementary plan

- (1) Where the person appointed to carry out the independent examination of a local plan recommends that the plan as originally prepared is adopted, the local planning authority may adopt it—
 - (a) as originally prepared, or
 - (b) with modifications that (taken together) do not materially affect its contents.
- (2) Where the person appointed to carry out the independent examination of a local plan recommends that the plan is adopted with modifications, the local planning authority may adopt it—
 - (a) with those modifications, or
 - (b) with those modifications, along with further modifications if the further modifications (taken together) do not materially affect its contents.
- (3) Where the person appointed to carry out the independent examination of a supplementary plan recommends that the plan as originally prepared is adopted, the relevant plan-making authority may adopt it—
 - (a) as originally prepared, or
 - (b) with modifications that (taken together) do not materially affect its contents.
- (4) Where the person appointed to carry out the independent examination of a supplementary plan recommends that the plan is adopted with modifications, the relevant plan-making authority may adopt it—
 - (a) with those modifications, or
 - (b) with those modifications, along with further modifications if the further modifications (taken together) do not materially affect its contents.
- (5) An authority must not adopt a local plan or supplementary plan unless they do so in accordance with subsection (1), (2), (3) or (4).
- (6) A plan is adopted by a local planning authority, or a minerals and waste planning authority, if it is adopted by a resolution of the authority.
- (7) The Mayor of London adopts a supplementary plan by publishing it, together with a statement that the plan is to have effect.

Requirement in relation to design code

15F Design code for whole area

- (1) A local planning authority must ensure that, for every part of their area, the development plan includes requirements with respect to design that relate to development, or development of a particular description, which the authority consider should be met for planning permission for the development to be granted.
- (2) Subsection (1) does not require the local planning authority to ensure—
 - (a) that there are requirements for every description of development for every part of their area, or
 - (b) that there are requirements in relation to every aspect of design.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

Revocation and revision of plans

15G Revocation of local plans and supplementary plans

- (1) A local plan is revoked upon a new local plan for the local planning authority's area being adopted or approved under this Part.
- (2) The Secretary of State—
 - (a) may revoke a local plan at the request of the local planning authority;
 - (b) may revoke a supplementary plan at the request of the relevant plan-making authority;
 - (c) may prescribe descriptions of supplementary plan which may be revoked by the relevant plan-making authority themselves.

15GA Revision of local plan

- (1) A local planning authority may, at any time after their local plan has come into effect, prepare a revision of it.
- (2) If the Secretary of State directs them to do so after the local plan comes into effect, a local planning authority must prepare a revision of the local plan, in accordance with such timetable as the Secretary of State directs.
- (3) Subsection (4) applies if any part of the area of the local planning authority is an area to which an enterprise zone scheme relates.
- (4) As soon as practicable after the occurrence of a relevant event—
 - (a) the authority must consider whether their local plan should be changed in the light of the enterprise zone scheme;
 - (b) if they think that any changes to their local plan are required in consequence of the scheme they must prepare a revision to their local plan to give effect to the changes.
- (5) The following are relevant events—
 - (a) the making of an order under paragraph 5 of Schedule 32 to the Local Government, Planning and Land Act 1980 (designation of enterprise zone);
 - (b) the giving of notification under paragraph 11(1) of that Schedule (approval of modification of enterprise zone scheme).
- (6) References to an enterprise zone and an enterprise zone scheme must be construed in accordance with that Act.
- (7) This Part applies in relation to a revision under this section as it applies in relation to a local plan, subject to such modifications as may be prescribed.

Intervention powers in relation to plans

15H Power to require Secretary of State approval

- (1) At any time before a proposed local plan is adopted by a local planning authority, the Secretary of State may direct the local planning authority to submit the plan (or any part of it) to the Secretary of State for approval.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (2) At any time before a proposed supplementary plan is adopted by a relevant plan-making authority, the Secretary of State may direct the relevant plan-making authority to submit the plan (or any part of it) to the Secretary of State for approval.
- (3) Where the Secretary of State gives a direction under [subsection \(1\)](#) or [\(2\)](#)—
- (a) the authority must not take any step in connection with the adoption of the plan until the Secretary of State gives the Secretary of State’s decision or withdraws the direction;
 - (b) if the direction is given, and not withdrawn, before the authority have submitted the plan for independent examination, the Secretary of State must hold an independent examination;
 - (c) if the direction is given after the authority have submitted the plan for independent examination but before the person appointed to carry out the examination has made recommendations, and is not withdrawn before those recommendations are made, the person must make the recommendations to the Secretary of State.
- (4) Subsections [\(4\)](#) to [\(12\)](#) of [section 15D](#), and [section 15DA](#), apply to an examination of a local plan held under [subsection \(3\)\(b\)](#).
- (5) In the case of an examination of a supplementary plan held under [subsection \(3\)\(b\)](#)—
- (a) subsections [\(5\)](#) to [\(12\)](#) of [section 15DB](#) apply, and
 - (b) the examiner is to be a person appointed by the Secretary of State.
- (6) The Secretary of State must publish the recommendations made to the Secretary of State by virtue of [subsection \(3\)\(c\)](#) and the reasons of the person making the recommendations.
- (7) In relation to a plan or part of a plan submitted under [subsection \(1\)](#) or [\(2\)](#), the Secretary of State—
- (a) may approve, approve subject to modifications or reject the plan or part, and
 - (b) must give reasons for the decision under [paragraph \(a\)](#).
- (8) In the exercise of any function under this section the Secretary of State—
- (a) may take account of any matter which the Secretary of State thinks is relevant (regardless of whether the matter was taken account of by the authority), and
 - (b) must have regard to the local plan timetable and minerals and waste plan timetable, so far as relevant.

15HA Secretary of State powers where local planning authority are failing etc

- (1) This section applies if the Secretary of State thinks that—
- (a) a local planning authority are failing to do anything it is necessary or expedient for them to do in connection with the preparation, adoption or revision of a local plan,
 - (b) a local plan or supplementary plan is, is going to be or may be unsatisfactory, or
 - (c) a proposed revision of a local plan or supplementary plan will, or may, result in the plan becoming unsatisfactory.
- (2) The Secretary of State may—

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (a) if the plan has not come into effect, take over preparation of the plan from the relevant authority;
 - (b) if the plan has come into effect, revise the plan;
 - (c) give directions to the relevant authority in relation to—
 - (i) the preparation or adoption of the plan (including a direction requiring the plan to be modified in accordance with the direction);
 - (ii) the revocation or revision of the plan (including a direction requiring the plan to be revised in accordance with the direction or a direction revoking the plan).
- (3) The Secretary of State may appoint a person (a “local plan commissioner”) to—
- (a) investigate and report to the Secretary of State, or
 - (b) do any of the things that may be done under [subsection \(2\)](#), on the Secretary of State’s behalf.
- (4) Subsections [\(5\)](#) to [\(10\)](#) apply if preparation of the plan is taken over under [subsection \(2\)\(a\)](#) or [\(3\)\(b\)](#).
- (5) The Secretary of State or (as the case may be) the local plan commissioner must publish a document setting out—
- (a) their timetable for preparing the plan, and
 - (b) if they intend to depart from anything specified in a local plan timetable in relation to the plan, details of how they intend to depart from it.
- (6) The Secretary of State must—
- (a) hold an independent examination of the plan or (as the case may be) direct the local plan commissioner to submit the plan for independent examination, or
 - (b) direct the relevant authority to submit the plan for independent examination under [section 15D](#) or (as the case may be) [15DB](#).
- (7) Subsections [\(4\)](#) to [\(12\)](#) of [section 15D](#), and [section 15DA](#), apply to an examination of a local plan held under [subsection \(6\)\(a\)](#), reading references to the local planning authority as references to the Secretary of State or (as the case may be) the local plan commissioner.
- (8) In the case of an examination of a supplementary plan held under [subsection \(6\)\(a\)](#)—
- (a) subsections [\(5\)](#) to [\(12\)](#) of [section 15DB](#) apply, reading references to the relevant plan-making authority as references to the Secretary of State or (as the case may be) the local plan commissioner, and
 - (b) the examiner is to be a person appointed by the Secretary of State or the local plan commissioner.
- (9) The Secretary of State must either—
- (a) publish the recommendations and reasons of the person appointed to hold the examination, or
 - (b) give directions to the relevant authority or local plan commissioner in relation to publication of those recommendations and reasons.
- (10) The Secretary of State or local plan commissioner may then—
- (a) approve the plan or approve it subject to modifications,
 - (b) direct the relevant authority to consider adopting the plan, or
 - (c) reject the plan.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (11) Subsections (5) to (10) (and the provisions applied by them) apply in relation to a revision to a plan under subsection (2)(b) or (3)(b) as they apply to a plan prepared under subsection (2)(a) or (3)(b).
- (12) In the exercise of any function under this section, the Secretary of State or local plan commissioner may take account of any matter which the Secretary of State or local plan commissioner thinks is relevant (regardless of whether the matter was taken account of by the relevant authority).
- (13) The Secretary of State must give reasons for anything the Secretary of State does in pursuance of subsection (2) or (10).
- (14) A local plan commissioner must give reasons for anything the commissioner does in pursuance of subsection (3)(b) or (10).
- (15) In this section “relevant authority”—
 - (a) in relation to a local plan, means the local planning authority, or
 - (b) in relation to a supplementary plan, means the relevant plan-making authority.

15HB Secretary of State powers where local planning authority fails to ensure design code

- (1) This section applies where the Secretary of State considers that a local planning authority are unlikely to comply, or have not complied, with the requirement in section 15F(1).
- (2) The Secretary of State may give directions to the local planning authority as to the steps they must take to comply with that requirement, including directions as to the preparation, adoption or revision of their local plan or one or more supplementary plans.
- (3) The Secretary of State must give reasons for any directions given under this section.

15HC Liability for Secretary of State’s costs of intervention

- (1) The Secretary of State may require the relevant authority to—
 - (a) reimburse the Secretary of State for any expenditure incurred by the Secretary of State in, or in connection with, exercising a function under any of sections 15H to 15HB, or
 - (b) pay any fees and expenses of a local plan commissioner appointed under section 15HA(3).
- (2) Where a function under any of those sections is exercised in relation to a joint local plan or joint supplementary plan, the Secretary of State may apportion liability for such expenditure on such basis as the Secretary of State thinks just and reasonable between the authorities who are jointly preparing, or have jointly prepared, the plan.
- (3) In subsection (1) “relevant authority” means—
 - (a) where the function is exercised, or the local plan commissioner is appointed, in relation a local plan, the local planning authority;
 - (b) where the function is exercised, or the local plan commissioner is appointed, in relation to a supplementary plan, the relevant plan-making authority.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

15HD Default powers exercisable by Mayor of London, combined authority, combined county authority or county council

Schedule A1 (default powers exercisable by Mayor of London, combined authority, combined county authority or county council) has effect.

15HE Temporary direction pending possible use of intervention or default powers

- (1) If the Secretary of State is considering whether to take action under [section 15H](#), [15HA](#) or [15HB](#) or Schedule A1 in relation to a local plan or a supplementary plan, the Secretary of State may direct the local planning authority or (as the case may be) the relevant plan-making authority not to take any step, or not to take a step specified in the direction, in connection with the plan—
 - (a) until a time or event (if any) specified in the direction, or
 - (b) until the direction is withdrawn.
- (2) A plan to which a direction under this section relates has no effect while the direction is in force.
- (3) A direction given under this section in relation to a plan ceases to have effect if—
 - (a) the Secretary of State—
 - (i) gives a direction under [section 15H](#), [15HA\(2\)\(c\)](#) or [\(10\)\(b\)](#) or [15HB\(2\)](#) or paragraph 8(5) of Schedule A1 in relation to the plan, or
 - (ii) approves the plan under [section 15HA\(10\)\(a\)](#),
 - (b) a local plan commissioner—
 - (i) gives a direction under [section 15HA\(3\)\(b\)](#), or
 - (ii) approves the plan under [section 15HA\(10\)\(a\)](#),
 - (c) the Mayor of London does anything under paragraph 2(4) of Schedule A1,
 - (d) a combined authority does anything under paragraph 6(4) of that Schedule, or
 - (e) a county council does anything under paragraph 7C(4) of that Schedule.

Joint plans

15I Joint local plans by agreement or direction

- (1) A joint local plan is a local plan prepared jointly by two or more local planning authorities for their combined areas.
- (2) Two or more local planning authorities may agree to prepare a joint local plan (a “joint local plan agreement”).
- (3) The Secretary of State may direct two or more local planning authorities to prepare a joint local plan (a “joint local plan direction”).
- (4) The Secretary of State may give a joint local plan direction to a local planning authority whether or not the authority’s local plan timetable specifies that their local plan for their area is to be a joint local plan.
- (5) The Secretary of State may give a joint local plan direction only if the Secretary of State considers that to do so will facilitate the more effective planning of the development and use of land in the area of one or more of the local planning authorities in question.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (6) A joint local plan direction may specify the timetable for preparation of the joint local plan.
- (7) The Secretary of State must, when giving a joint local plan direction, notify the local planning authorities to which it applies of the reasons for giving it.
- (8) If the Secretary of State gives a joint local plan direction, the Secretary of State may direct the local planning authorities to which it is given to amend their local plan timetables to take account of the direction.
- (9) The Secretary of State may modify or withdraw a joint local plan direction by notice in writing to the authorities to which it was given.
- (10) The Secretary of State must, when modifying or withdrawing a joint local plan direction, notify the local planning authorities to which it was given of the reasons for the modification or withdrawal.

15IA Joint local plans: application of Part

- (1) This section applies in a case where—
 - (a) a joint local plan agreement is made, or
 - (b) a joint local plan direction is given.
- (2) This Part applies for the purposes of any step which may be, or is required to be, taken in relation to the joint local plan as it applies for the purposes of any step which may be, or is required to be, taken in relation to a local plan.
- (3) For the purposes of [subsection \(2\)](#) anything which must be done by or in relation to a local planning authority in connection with a local plan must be done by or in relation to each of the relevant authorities in connection with the joint local plan.
- (4) Subsections (2) and (3) are subject to such modifications of this Part, as it applies to joint local plans, as may be prescribed.
- (5) If the relevant authorities include one or more authorities in relation to whose area a spatial development strategy is operative, the requirements of this Part in relation to the spatial development strategy, which apply to or in respect of local plans, apply—
 - (a) to or in respect of the joint local plan, and
 - (b) in relation to such of the area to which the joint local plan relates as the spatial development strategy is operative in relation to.
- (6) In this section “the relevant authorities” are the local planning authorities who are to prepare a joint local plan in accordance with the joint local plan agreement or joint local plan direction.

15IB Joint local plan agreement or direction: withdrawal or modification

- (1) This section applies if—
 - (a) a relevant authority withdraw from a joint local plan agreement,
 - (b) the Secretary of State withdraws a joint local plan direction, or
 - (c) the Secretary of State modifies a joint local plan direction so that it ceases to apply to one or more of the relevant authorities to which it was given.
- (2) Any step taken in relation to the joint local plan must be treated as a step taken by—

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (a) a relevant authority for the purposes of any corresponding local plan prepared by them;
 - (b) two or more other relevant authorities for the purposes of any corresponding joint local plan.
- (3) Any independent examination of the joint local plan must be suspended.
- (4) If, before the end of the period prescribed for the purposes of this subsection, a relevant authority request the Secretary of State to do so, the Secretary of State may direct that—
- (a) the examination is resumed in relation to—
 - (i) any corresponding local plan prepared by a relevant authority, or
 - (ii) any corresponding joint local plan prepared by two or more of the relevant authorities;
 - (b) any step taken for the purposes of the suspended examination has effect for the purposes of the resumed examination.
- (5) The Secretary of State may by regulations make provision as to what is a corresponding local plan or a corresponding joint local plan for the purposes of this section.
- (6) For the purposes of this section references to the joint local plan are to the joint local plan to which the joint local plan agreement or (as the case may be) joint local plan direction related.
- (7) In this section “the relevant authorities” are the local planning authorities—
- (a) who were party to the joint local plan agreement immediately before the authority mentioned in [subsection \(1\)\(a\)](#) withdrew from it, or
 - (b) to whom the joint local plan direction applied immediately before it was withdrawn or modified by the Secretary of State.

151C Joint supplementary plans by agreement

- (1) Two or more local planning authorities may agree to prepare a joint supplementary plan under [section 15CC](#), in which case in relation to that plan references in [subsection \(3\)](#) of that section to the area of the local planning authority are to be read as references to the combined areas of the relevant authorities.
- (2) Two or more minerals and waste planning authorities may agree to prepare a joint supplementary plan under [section 15CC](#), in which case in relation to that plan references in [subsection \(5\)](#) of that section to the relevant area are to be read as references to the combined relevant areas of the relevant authorities.
- (3) This Part applies for the purposes of any step which may be, or is required to be, taken in relation to the joint supplementary plan as it applies for the purposes of any step which may be, or is required to be, taken in relation to a supplementary plan.
- (4) For the purposes of [subsection \(3\)](#) anything which must be done by or in relation to a local planning authority or (as the case may be) a minerals and waste planning authority in connection with a supplementary plan must be done by or in relation to each of the relevant authorities in connection with the joint supplementary plan.
- (5) Subsections [\(3\)](#) and [\(4\)](#) are subject to such modifications of this Part, as it applies to joint supplementary plans, as may be prescribed.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (6) If the relevant authorities include one or more authorities in relation to whose area a spatial development strategy is operative, the requirements of this Part in relation to the spatial development strategy, which apply to or in respect of supplementary plans, apply—
- (a) to or in respect of the joint supplementary plan, and
 - (b) in relation to such of the area to which the joint supplementary plan relates as the spatial development strategy is operative in relation to.
- (7) Subsections (8) to (10) apply if a relevant authority withdraws from an agreement mentioned in subsection (1) or (2).
- (8) Any step taken in relation to the joint supplementary plan must be treated as a step taken by—
- (a) a relevant authority for the purposes of any corresponding supplementary plan prepared by them;
 - (b) two or more other relevant authorities for the purposes of any corresponding joint supplementary plan.
- (9) Any independent examination of the joint supplementary plan must be suspended.
- (10) If, before the end of the period prescribed for the purposes of this subsection, any of the relevant authorities request the Secretary of State to do so, the Secretary of State may direct that—
- (a) the examination is resumed in relation to—
 - (i) any corresponding supplementary plan prepared by any of the relevant authorities, or
 - (ii) any corresponding joint supplementary plan prepared by two or more of the relevant authorities;
 - (b) any step taken for the purposes of the suspended examination has effect for the purposes of the resumed examination.
- (11) The Secretary of State may by regulations make provision as to what is a corresponding supplementary plan or a corresponding joint supplementary plan for the purposes of this section.
- (12) A joint supplementary plan is a supplementary plan prepared jointly by two or more relevant authorities in accordance with this section.
- (13) In this section “the relevant authorities” means the authorities who enter into the agreement mentioned in subsection (1) or (as the case may be) (2).

Joint committees

15J Joint committees

- (1) This section applies if one or more local planning authorities agree with one or more county councils in relation to any area of such a council for which there is also a district council to establish a joint committee to be, for the purposes of this Part, the local planning authority—
- (a) for the area specified in the agreement;
 - (b) in respect of such purposes as are so specified.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (2) The Secretary of State may by regulations constitute a joint committee to be the local planning authority—
 - (a) for the area;
 - (b) in respect of those purposes.
- (3) Such regulations—
 - (a) must specify the authority or authorities and county council or councils (the “constituent authorities”) which are to constitute the joint committee;
 - (b) may make provision as to such other matters as the Secretary of State thinks are necessary or expedient to facilitate the exercise by the joint committee of its functions.
- (4) Regulations under [subsection \(3\)\(b\)](#) may include provision—
 - (a) corresponding to provisions relating to joint committees in Part 6 of the Local Government Act 1972;
 - (b) applying (with or without modifications) such enactments relating to local authorities as the Secretary of State thinks appropriate;
 - (c) modifying the application of this Part in relation to the joint committee.
- (5) For the purposes of [subsection \(4\)](#) a local authority is any of the following—
 - (a) a county council;
 - (b) a district council;
 - (c) a London borough council.
- (6) If regulations under this section are annulled in pursuance of a resolution of either House of Parliament—
 - (a) with effect from the date of the resolution the joint committee ceases to be the local planning authority as mentioned in [subsection \(2\)](#);
 - (b) anything which the joint committee (as the local planning authority) was required to do for the purposes of this Part must be done for their area by each local planning authority which were a constituent authority of the joint committee;
 - (c) each of those local planning authorities must revise their local plan timetable accordingly.
- (7) Nothing in this section or section [15JA](#) confers on a local planning authority constituted by virtue of regulations under this section any function in relation to section 13 or 14 (survey of area).
- (8) This section and section [15JA](#) are subject to the requirement in [section 15C\(2\)](#) that only one local plan may have effect in relation to the area of a local planning authority (including one constituted by virtue of regulations under this section) at any one time.
- (9) The policies contained in any local plan or supplementary plan adopted by the joint committee in the exercise of its functions under this Part must be taken for the purposes of the planning Acts to be the policies of each of the constituent authorities which are a local planning authority.
- (10) Subsection [\(11\)](#) applies to any function—
 - (a) which is conferred on a local planning authority (within the meaning of the principal Act) under or by virtue of the planning Acts, and

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

(b) which relates to the authority's local plan timetable, local plan or supplementary plan.

(11) If the authority is a constituent authority of a joint committee references to the authority's local plan timetable, local plan or supplementary plan must be construed, in relation to that function, as including references to the timetable or plan of the joint committee.

15JA Joint committees: additional functions

- (1) This section applies if the constituent authorities of a joint committee agree that the joint committee is to be, for the purposes of this Part, the local planning authority for any area or purpose which is not the subject of—
- (a) regulations under [section 15J](#), or
 - (b) an earlier agreement under this section.
- (2) Each of the constituent authorities and the joint committee must revise their local plan timetable in accordance with the agreement.
- (3) With effect from the date when the last such revision takes effect the joint committee is, for the purposes of this Part, the local planning authority for the area or purpose mentioned in [subsection \(1\)](#).

15JB Dissolution of joint committee

- (1) This section applies if a constituent authority requests the Secretary of State to revoke regulations constituting a joint committee as the local planning authority for any area or in respect of any purpose.
- (2) The Secretary of State may revoke the regulations.
- (3) If the Secretary of State does so, any step taken by the joint committee in relation to a local plan timetable, local plan or supplementary plan must be treated for the purposes of any corresponding timetable or plan as a step taken by a successor authority.
- (4) A successor authority is—
- (a) a local planning authority which were a constituent authority of the joint committee;
 - (b) a joint committee constituted by regulations under [section 15J](#) for an area which does not include an area which was not part of the area of the joint committee mentioned in [subsection \(1\)](#).
- (5) If the revocation takes effect at a time when an independent examination is being carried out in relation to a local plan or supplementary plan in relation to which the joint committee is the local planning authority the examination must be suspended.
- (6) But if, before the end of the period prescribed for the purposes of this subsection, a successor authority falling within [subsection \(4\)\(a\)](#) requests the Secretary of State to do so, the Secretary of State may direct that—
- (a) the examination is resumed in relation to the corresponding plan;
 - (b) any step taken for the purposes of the suspended examination has effect for the purposes of the resumed examination.
- (7) The Secretary of State may by regulations make provision as to what is a corresponding timetable or plan.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

Neighbourhood priorities statements

15K Neighbourhood priorities statements

- (1) Any qualifying body may make a statement, to be known as a “neighbourhood priorities statement”, which summarises what the body considers to be the principal needs and prevailing views, of the community in the neighbourhood area in relation to which the body is authorised, in respect of local matters.
- (2) “Local matters” are such matters as the Secretary of State may prescribe, relating to—
 - (a) development, or the management or use of land, in or affecting the neighbourhood area,
 - (b) housing in the neighbourhood area,
 - (c) the natural environment in the neighbourhood area,
 - (d) the economy in the neighbourhood area,
 - (e) public spaces in the neighbourhood area,
 - (f) the infrastructure, facilities or services available in the neighbourhood area, or
 - (g) other features of the neighbourhood area.
- (3) A qualifying body may modify or revoke a neighbourhood priorities statement that has effect, for the time being, for the neighbourhood area in relation to which the body is authorised.
- (4) A neighbourhood priorities statement has effect from the time it is published by a relevant local planning authority and ceases to have effect upon such an authority publishing a notice stating that it has been revoked by a qualifying body.
- (5) A modification of a neighbourhood priorities statement has effect from the time the modification, or modified statement, is published by a relevant local planning authority.
- (6) Regulations made by the Secretary of State may impose requirements which must be met for a neighbourhood priorities statement, or any modification or revocation of such a statement, to be made or published.
- (7) Regulations under [subsection \(6\)](#) or [section 15LE\(2\)\(k\)](#) may provide that a requirement may be met, or (as the case may be) procedure may be complied with, by virtue of things done by a parish council, or other organisation or body, before it becomes a qualifying body.
- (8) Regulations under [subsection \(6\)](#) and [section 15LE](#) must (between them)—
 - (a) require a qualifying body to publish any proposed neighbourhood priorities statement, so that people who live, work or carry on business in the neighbourhood area to which the statement relates can comment on the proposed statement before the body makes the statement,
 - (b) require a qualifying body to publish any proposed material modification of a neighbourhood priorities statement, so that people who live, work or carry on business in the neighbourhood area to which the statement relates can comment on the proposed modification before the body makes the modification,
 - (c) require a relevant local planning authority to publish a neighbourhood priorities statement, if the statement is made in accordance with this section and any regulations made under this Part,

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (d) require a relevant local planning authority to publish a notice of the revocation of a neighbourhood priorities statement, if the statement has been revoked in accordance with this section and any regulations made under this Part, and
 - (e) require a relevant local planning authority, if a modification of a neighbourhood priorities statement is made in accordance with this section and any regulations made under this Part, to publish the modification or a modified statement.
- (9) Subsection (10) applies if, as a result of a modification of a neighbourhood area under section 61G(6) of the principal Act, a neighbourhood priorities statement relates to more than one neighbourhood area.
- (10) Any modification, or revocation, of the neighbourhood priorities statement as it has effect for one of those areas does not affect the statement as it has effect in relation to the other area or areas.
- (11) Regulations under section 61G(11) of the principal Act (designation of areas as neighbourhood areas) may include provision about the consequences of the modification of designations—
- (a) on proposals for neighbourhood priorities statements, or on neighbourhood priorities statements, that have already been made, or
 - (b) on proposals for the modification of neighbourhood priorities statements, or on modifications of neighbourhood priorities statements, that have already been made.
- (12) A authority mentioned in subsection (13) is a “relevant local planning authority”, in relation to a neighbourhood priorities statement, if some or all of the neighbourhood area to which the statement relates falls within the area of the authority.
- (13) The authorities are—
- (a) a district council,
 - (b) a London borough council,
 - (c) a metropolitan district council,
 - (d) a county council in relation to an area in England for which there is no district council, or
 - (e) the Broads Authority.
- (14) In this section—
- “material modification”, in relation to a neighbourhood priorities statement, means a modification which a relevant local planning authority considers—
- (a) materially affects a summary, in the statement, of any needs or views, of the community in the neighbourhood area, in relation to a local matter, and
 - (b) does not only correct an obvious error or omission;
- “neighbourhood area” has the meaning given by sections 61G and 61I(1) of the principal Act;
- “qualifying body” means a parish council or an organisation or body designated as a neighbourhood forum, which is authorised to act in relation to a neighbourhood area as a result of section 61F of the principal Act (whether or not as applied by section 38C of this Act).

General

15L Exclusion of certain representations

- (1) This section applies to any representation or objection in respect of anything which is done or is proposed to be done in pursuance of—
 - (a) an order or scheme under section 10, 14, 16, 18, 106(1) or (3) or 108(1) of the Highways Act 1980;
 - (b) an order under section 1 of the New Towns Act 1981.
- (2) If the Secretary of State or a local planning authority thinks that a representation made in relation to a local plan or supplementary plan is in substance a representation or objection to which this section applies the Secretary of State or (as the case may be) the authority may disregard it.

15LA Development corporations: power to disapply provisions

The Secretary of State may direct that the provisions of—

- (a) this Part, or
- (b) any particular regulations made under section 14A,

do not apply to the area of an urban development corporation or a development corporation established under the New Towns Act 1981.

15LB Guidance

- (1) In the exercise of any function conferred by or under this Part a relevant plan-making authority must have regard to any guidance issued by the Secretary of State.
- (2) The Secretary of State must issue guidance for local planning authorities on how their local plan and any supplementary plans (taken as a whole) should address housing needs that result from old age or disability.

15LC Monitoring information

- (1) The Secretary of State may prescribe information within [subsection \(3\)](#) which each local planning authority must make available to the public.
- (2) The Secretary of State may prescribe information within [subsection \(3\)](#) which each local planning authority must provide to the Secretary of State.
- (3) Information is within this subsection if it relates to—
 - (a) the implementation of the local planning authority's local plan timetable;
 - (b) the implementation of policies in their local plan and any supplementary plans they have prepared;
 - (c) the implementation of any policies which relate to the authority's area, in any spatial development strategy that is operative in relation to their area;
 - (d) the extent to which specified environmental outcomes (within the meaning of [Part 6](#) of the Levelling-up and Regeneration Act 2023) are being delivered in relation to the authority's area.
- (4) The information must be in such form, and made available or provided in such manner, as may be prescribed.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

15LD Policies map

- (1) Each local planning authority must ensure that a map, to be known as a “policies map”, is prepared, and kept up to date, which illustrates the geographical application of the development plan for the authority’s area.
- (2) The map prepared and kept up to date under [subsection \(1\)](#)—
 - (a) must be in such form, and have such content, as may be prescribed,
 - (b) must be revised at such times, or in such circumstances, as may be prescribed, and
 - (c) must be made available to the public.

15LE Regulations

- (1) The Secretary of State may by regulations make provision in connection with the exercise by any person of a function conferred by or under this Part.
- (2) The regulations may, in particular, include provision as to—
 - (a) the form and content of a joint spatial development strategy;
 - (b) the documents (if any) which must accompany a joint spatial development strategy;
 - (c) the procedure to be followed in connection with the preparation, adoption, publication, review, alteration or withdrawal of a joint spatial development strategy or in connection with any review under [section 15AE\(2\)](#);
 - (d) the procedure to be followed in the preparation, adoption, review, revision or withdrawal of local plans or supplementary plans;
 - (e) requirements about the giving of notice and publicity;
 - (f) requirements about inspection by the public of a local plan, supplementary plan or any other document;
 - (g) consultation with, or participation by, the public or any prescribed body or other person in connection with anything done under this Part, including provision imposing requirements for consultation or participation or as to the nature and extent of the consultation or participation that may or must take place;
 - (h) the making of representations about any matter to be included in a local plan or supplementary plan;
 - (i) consideration of any such representations;
 - (j) the remuneration and allowances payable to a person appointed to provide observations or advice under [section 15CA\(3\)](#), carry out a public or independent examination under this Part or act as a local plan commissioner under [section 15HA\(3\)](#);
 - (k) the procedure to be followed in the preparation, making, modification, revocation, replacement or publication of a neighbourhood priorities statement;
 - (l) the form, and content, of a neighbourhood priorities statement;
 - (m) the determination of the time by or at which anything must be done for the purposes of this Part;
 - (n) the manner of publication of any draft, report or other document published under this Part;
 - (o) monitoring the exercise by local planning authorities of their functions under this Part;

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (p) the making of reasonable charges for the provision of copies of documents required by or under this Part.
- (3) Regulations under [subsection \(2\)\(1\)](#) may provide for the form or content of a neighbourhood priorities statement to be determined by the Secretary of State.
- (4) Regulations under this Part may make different provision for different areas.

15LF Meaning of “local planning authority” etc

- (1) This section applies for the purposes of this Part.
- (2) Each of the following is a local planning authority for their area—
 - (a) a district council;
 - (b) a London borough council;
 - (c) a metropolitan district council;
 - (d) a county council in relation to any area in England for which there is no district council.
- (3) A National Park authority is the local planning authority for the whole of its area, in place of any authority who would otherwise be a local planning authority for any part of that area under [subsection \(2\)](#).
- (4) The Broads Authority is the local planning authority for the Broads, in place of any authority who would otherwise be a local planning authority for any part of the Broads under [subsection \(2\)](#).
- (5) Where a relevant order provides that a development corporation is to be the local planning authority for an area for some or all purposes of this Part, the development corporation is the local planning authority for that area and those purposes in place of any authority who would otherwise be the local planning authority for that area and those purposes.
- (6) In [subsection \(5\)](#)—
 - “development corporation” means an urban development corporation, a development corporation established under the New Towns Act 1981 or a Mayoral development corporation;
 - “relevant order”—
 - (a) in relation to an urban development corporation, means an order under [section 149\(1A\)](#) of the Local Government, Planning and Land Act 1980;
 - (b) in relation to a development corporation established under the New Towns Act 1981, means an order under [section 7A\(2\)\(b\)](#) of that Act;
 - (c) in relation to a Mayoral development corporation, means an order under [section 198\(2\)](#) of the Localism Act 2011.
- (7) [Subsection \(5\)](#) is subject to [subsections \(8\)](#) and [\(9\)](#).
- (8) [Subsection \(9\)](#) applies where a designation order under [section 13](#) of the Housing and Regeneration Act 2008 (power to make designation orders) provides that the Homes and Communities Agency is to be the local planning authority—
 - (a) for an area specified in the order, and
 - (b) for all purposes of this Part or any such purposes so specified.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (9) The Homes and Communities Agency is the local planning authority for the area and the purposes concerned in place of any authority who would otherwise be the local planning authority for that area and those purposes.
- (10) See also [section 15J](#) under which joint committees can be constituted to be local planning authorities for the purposes of this Part.
- (11) References (other than in this section) to a local planning authority’s area are to the area for which they are the local planning authority in accordance with this Part.

15LG Meaning of “minerals and waste planning authority” etc

- (1) This section has effect for the purposes of this Part.
- (2) Subject to [subsection \(3\)](#)—
 - (a) a county council in England is the minerals and waste planning authority for their area,
 - (b) a London borough council is the minerals and waste planning authority for their area,
 - (c) a metropolitan district council is the minerals and waste planning authority for their area, and
 - (d) a district council is the minerals and waste planning authority for any part of their area for which there is no county council.
- (3) A National Park authority is the minerals and waste planning authority for the whole of its area, in place of any authority who would otherwise be a minerals and waste planning authority for any part of that area under [subsection \(2\)](#).
- (4) Where a relevant order provides that a development corporation is to be the minerals and waste planning authority for an area for some or all purposes of this Part, the development corporation is the minerals and waste planning authority for that area and those purposes in place of any authority who would otherwise be the minerals and waste planning authority for that area and those purposes.
- (5) In [subsection \(4\)](#)—
 - “development corporation” means an urban development corporation, a development corporation established under the New Towns Act 1981 or a Mayoral development corporation;
 - “relevant order”—
 - (a) in relation to an urban development corporation, means an order under [section 149\(2A\)](#) of the Local Government, Planning and Land Act 1980;
 - (b) in relation to a development corporation established under the New Towns Act 1981, means an order under [section 7A\(6\)](#) of that Act;
 - (c) in relation to a Mayoral development corporation, means an order under [section 198\(2\)](#) of the Localism Act 2011.
- (6) “Relevant area”, in relation to a minerals and waste planning authority, means the area for which the authority are the minerals and waste planning authority in accordance with this section.

15LH Interpretation

- (1) This section has effect for the purposes of this Part.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

- (2) Each of the following is a relevant plan-making authority—
- (a) the Mayor of London;
 - (b) a local planning authority;
 - (c) a minerals and waste planning authority.
- (3) In this Part (unless a contrary intention appears)—
- “affordable housing” means—
- (a) social housing within the meaning of Part 2 of the Housing and Regeneration Act 2008, and
 - (b) any other description of housing that may be prescribed;
- “constituent authority”, in relation to a joint committee, must be construed in accordance with [section 15J\(3\)](#);
- “joint local plan” must be construed in accordance with [section 15I\(1\)](#);
- “joint local plan agreement” must be construed in accordance with [section 15I\(2\)](#);
- “joint local plan direction” must be construed in accordance with [section 15I\(3\)](#);
- “joint spatial development strategy” means a strategy adopted by local planning authorities under [section 15AD](#) or, as the context requires, a strategy in preparation further to an agreement under [section 15A\(1\)](#);
- “joint supplementary plan” must be construed in accordance with [section 15IC](#);
- “local nature recovery strategy” means a local nature recovery strategy under section 104 of the Environment Act 2021;
- “local plan” must be construed in accordance with [section 15C](#);
- “local plan timetable” must be construed in accordance with [section 15B](#);
- “local planning authority” must be construed in accordance with [section 15LF](#);
- “minerals and waste development” means development which is a county matter within the meaning of paragraph 1 of Schedule 1 to the principal Act (ignoring sub-paragraph (1)(i) of that paragraph);
- “minerals and waste plan” must be construed in accordance with [section 15CB](#);
- “minerals and waste plan timetable” must be construed in accordance with [section 15BB](#);
- “minerals and waste planning authority” must be construed in accordance with [section 15LG](#);
- “neighbourhood priorities statement” must be construed in accordance with [section 15K](#);
- “relevant area” must be construed in accordance with [section 15LG](#);
- “relevant plan-making authority” must be construed in accordance with [subsection \(2\)](#);
- “spatial development strategy” means (except in the context of more specific expressions)—
- (a) the spatial development strategy for London,
 - (b) a spatial development strategy adopted by a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009, or

Changes to legislation: There are currently no known outstanding effects for the
Levelling-up and Regeneration Act 2023, Schedule 7. (See end of Document for details)

(c) a joint spatial development strategy;

“spatial development strategy for London” means the strategy adopted by the Mayor of London under Part 8 of the Greater London Authority Act 1999;

“supplementary plan” must be construed in accordance with [section 15CC](#).”

Changes to legislation:

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Schedule 7.