

EXPLANATORY MEMORANDUM TO
THE WEST NORTHAMPTONSHIRE JOINT COMMITTEE ORDER 2008

2008 No. 1572

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

2. **Description**

This Order establishes a joint committee to exercise specified functions of a local planning authority under Part 2 of the Planning and Compulsory Purchase Act 2004 (the 2004 Act) for the borough of Northampton, the district of Daventry and the district of South Northamptonshire.

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

None

4. **Legislative Background**

4.1 Part 2 of the 2004 Act provides for local development plans in England. Under the system, local planning authorities are required to prepare a local development scheme which is in effect a “project plan” for the preparation of local development documents. The scheme identifies which local development documents will be produced, in what order and when. Local development documents consist of development plan documents and supplementary plan documents. Development plan documents, taken as a whole, together with the relevant regional spatial strategy (RSS) under Part 1 of the Act constitute the development plan for the area. Applications for planning permission must be determined in accordance with the development plan, unless material considerations indicate otherwise.

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

4.3 The joint committee established by this Order will exercise the functions of a local planning authority under Part 2 of the 2004 Act in relation to the preparation, submission and revision of certain local development documents specified in the local development scheme submitted to the Secretary of State on 16 March 2007, a joint local development scheme and local development documents specified in the joint local development scheme.

5. Territorial Extent and Application

This instrument applies in relation to England.

6. European Convention on Human Rights

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

7. Policy background

7.1 Northampton Borough Council, Daventry District Council and South Northamptonshire District Council are part of the Milton Keynes South Midlands Growth Area. The combined area of the three local authorities is almost 1000 square kilometres and it has a population of approximately 290,000. The Regional Spatial Strategy for the East Midlands (RSS8) and the Milton Keynes and South Midlands Sub-Regional Strategy (approved in March 2005) identified Northampton, Daventry and Towcester as locations for growth in West Northamptonshire.

7.2 To assist with the delivery of the required growth, the three local planning authorities, together with Northamptonshire County Council, have requested that the Secretary of State establish a joint committee to enable the authorities to prepare and maintain a joint local development scheme and all necessary development plan documents. This will enable them to achieve a fully integrated approach to the proper planning of their joint administrative areas. The work of the joint committee will be supported by the West Northamptonshire Development Corporation (WNDC) which is the planning authority for strategic planning applications in Northampton, Towcester and Daventry urban areas.

7.3 The Order has been drafted to reflect the agreement between the constituent authorities to establish a joint committee. The constituent authorities have been consulted at various stages of the drafting process and their responses have been incorporated in the Order.

8. Impact

8.1 An Impact Assessment has not been prepared for this instrument as it has no impact on business, charities or voluntary bodies.

8.2 There is no new impact on the public sector.

9. Contact

Fiona Forgham at the Government Office for the East Midlands (tel: 0115 9712541 or e-mail: Fiona.Forgham@goem.gsi.gov.uk) can answer any queries regarding the instrument.