
STATUTORY INSTRUMENTS

2008 No. 2867

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

PART 6

FUNCTIONS RELATING TO TOWN AND COUNTRY PLANNING

Modifications relevant to local development schemes

22.—(1) Subject to paragraph (2), section 15 of the 2004 Act (local development scheme) shall have effect in relation to a shadow council or a preparing council which is a county council as if—

- (a) the geographical area required by subsection (2) to be specified in the scheme did not include such part of the council's area as relates the area of a predecessor council whose functions under Part 2 of the 2004 Act have been delegated to a joint committee; and
- (b) in paragraph (b) of subsection (3), for the words from “at such time” to the end of that paragraph, there were substituted “not later than three months before the reorganisation date” (and, accordingly, regulation 10(1) of the 2004 Regulations does not apply).

(2) The modification made by paragraph (1) does not have effect as regards any minerals and waste development scheme under section 16 of the 2004 Act.

(3) A scheme submitted by a shadow council or a preparing council which is a county council in accordance with section 15 of the 2004 Act as modified by paragraph (1) must specify the documents (if any)—

- (a) to which paragraph (4) applies; and
- (b) that were specified by a predecessor council or a joint committee in its local development scheme as documents that were to be local development documents.

(4) This paragraph applies to any document adopted by the predecessor council or the joint committee which the shadow council or a preparing council which is a county council has adopted or intends to adopt without revision, to revise, or to invite the Secretary of State to revoke⁽¹⁾.

⁽¹⁾ As to the power to revise a local development document, *see* section 26 of the 2004 Act.