
STATUTORY INSTRUMENTS

2018 No. 1128

The Local Government (Boundary Changes) Regulations 2018

PART 9

Functions relating to town and country planning

Local development documents

26.—(1) A local development document adopted by a predecessor council under section 23 of the 2004 Act (adoption of local development documents) before the reorganisation date shall have effect on and after that date as if it had been adopted by the successor council for such part of its area as corresponds to the area to which the document relates.

(2) Nothing in paragraph (1) affects any power of the Secretary of State to revoke, or the successor council to revise, a document to which paragraph (1) relates.

(3) A successor council must adopt a local development document under section 23 of the 2004 Act to apply to the whole of its area within a period of five years starting with the reorganisation date.

(4) On or after the reorganisation date and prior to adoption of a document to apply to the whole of its area as required by paragraph (3) a successor council may revise or replace a document referred to in paragraph (1) for a part of its area which was the area of a predecessor council.

(5) In revising or replacing a document in accordance with paragraph (4), a successor council may adopt, with or without modification, a document which was prepared but not adopted by a predecessor council before the reorganisation date.

(6) Where—

(a) a predecessor council has not, before the reorganisation date, prepared or adopted a local development document under section 23 of the 2004 Act; and

(b) the successor council has not yet adopted such a document for the whole of its area as required by paragraph (3),

the successor council may prepare and adopt such a document for the part of its area which was the area of the predecessor council.