EXPLANATORY MEMORANDUM TO

THE WEST NORTHAMPTONSHIRE JOINT COMMITTEE (REVOCATION) ORDER 2017

2017 No. 1211

1. Introduction

1.1 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. Purpose of the instrument

2.1 This instrument revokes the West Northamptonshire Joint Committee Order 2008 (S.I. 2008/1572) ("the 2008 Order"). The 2008 Order came into force in July 2008 and established a Joint Strategic Planning Committee ("the Committee") in West Northamptonshire, with the constituent authorities of Northamptonshire County Council, Northampton Borough Council, Daventry District Council and South Northamptonshire District Council ("the Authorities"). The Authorities have made a request to the Secretary of State that the Committee should now be dissolved, through the revocation of the 2008 Order.

3. Matters of special interest to Parliament

Matters of special interest to the Joint Committee on Statutory Instruments

3.1 None.

Other matters of interest to the House of Commons

3.2 This entire instrument applies only to England.

3.3 As this instrument is subject to negative resolution procedure and has not been prayed against, consideration as to whether there are other matters of interest to the House of Commons does not arise at this stage.

4. Legislative Context

4.1 The 2008 Order was made under the powers in section 29 of the Planning and Compulsory Purchase Act 2004 ("the PCPA 2004"). That provision provides that if one or more local planning authorities and one or more county councils in an area (for which there is also a district council) agree to establish a joint committee, then the Secretary of State may by order constitute a joint committee to be the local planning authority for the area in respect of certain specified matters.

4.2 Section 31 of the PCPA 2004 provides that the Secretary of State may revoke an order constituting the joint committee as the local planning authority for any area or in respect of any matter if such a request is received from a constituent authority. The effect of such a revocation is to dissolve the joint committee.

5. Extent and Territorial Application

5.1 The extent of this instrument is England and Wales.

5.2 The territorial application of this instrument is England.

6. European Convention on Human Rights

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

7. Policy background

7.1 The Committee was formed in 2008 to support the preparation of a joint local plan to address the objectively assessed needs for housing and employment in the area. A local plan sets out local planning policies for the area and identifies how land is used, determining what will be built where. The joint local plan has now been prepared and the West Northamptonshire Joint Core Strategy Local Plan (Part 1) ("the Local Plan (Part 1)") was adopted on 15 December 2014. Following this, the Committee has decided that it has achieved the purpose for which it was established. The Local Plan (Part 1) sets out the long term vision and objectives up to 2029.

7.2 The Authorities have each now set out their intention to prepare their own 'Local Plan (Part 2)', which are all expected to be adopted in October 2018. These will be planning policy documents (known as development plan documents) which follow on from the Local Plan (Part 1) and will provide greater detail on how the vision set out in the plan will be achieved including site allocations for the area.

7.3 For the Authorities to plan independently of the Committee, the Committee must be dissolved.

8. Consultation outcome

8.1 Although there has been no formal consultation on dissolving the Committee, local Members of Parliament, Council Leaders, councillors and neighbouring local planning authorities all received notification of the request to the Secretary of State for Communities and Local Government by the Committee to revoke the 2008 Order. This notification was provided at the time the request was submitted in February 2016, and these parties have been kept informed during the intervening period. No objections have been received by the Committee or local planning officers, and it is understood that all relevant local parties are supportive of the revocation. Additionally, Alok Sharma MP, Minister of State for Housing and Planning, wrote on 22 November to the Committee, relevant Leaders and Members of Parliament confirming his intention to start the necessary parliamentary procedures to revoke the 2008 Order. Again, no objections have been received.

9. Guidance

9.1 The Department does not consider it necessary to prepare guidance on this statutory instrument.

10. Impact

10.1 There is no impact on business, charities or voluntary bodies.

10.2 There will be a small impact on the Authorities as following the revocation of the 2008 Order they will prepare and approve their Part 2 plans individually, rather than through the Committee. This is necessary for each local authority to be able to plan for the specific needs of its area.

10.3 An Impact Assessment has not been prepared for this instrument.

11. Regulating small business

11.1 The instrument does not apply to activities that are undertaken by small businesses.

12. Monitoring & review

12.1 Review of the provision is not appropriate; the dissolution of the Committee through the revocation of the 2008 Order is at the direct request of the Authorities.

13. Contact

13.1 Mrs Vicky Engelke at the Department for Communities and Local Government Telephone: 03034442062 or email: vicky.engelke@communities.gsi.gov.uk can answer any queries regarding the instrument.