

Local Government (Infrastructure Requirement Plans) Bill

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TO

Require local authorities to assess the infrastructure needed to support future housing and commercial development and to prepare plans for its provision; and for connected purposes.

BE IT ENACTED by the Queen’s most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:—

1 Interpretation

In this Act—

“development” has the meaning given by section 55 of the Town and Country Planning Act 1990;

“housing and commercial development” means a development involving the construction of more than 150 dwelling houses or flats by the same developer on a single site or on contiguous sites within a period of five years; 5

“local development document” has the meaning given to it by section 17 of the Planning and Compulsory Purchase Act 2004; 10

“local planning authority” has the meaning given by section 1 of the Town and Country Planning Act 1990.

2 Infrastructure requirement plans

(1) A local planning authority (“the authority”) must conduct an assessment of the infrastructure needed to support future housing and commercial developments as set out in the authority’s local development document (“the proposed developments”). 15

(2) In conducting the assessment under subsection (1) the authority must take into account the following factors—

(a) general practitioner and hospital services; 20

(b) water supplies;

(c) sewage services;

(d) waste disposal;

- (e) school places;
- (f) the capacity of the road network within the authority's area to sustain any increase in vehicular traffic; and
- (g) the capacity of the existing rail network within the authority's area to sustain any increase in passenger numbers. 5
- (3) Following the assessment the authority must identify where additional infrastructure is needed to meet the anticipated increase in demand.
- (4) The authority must publish an infrastructure requirement plan within 3 months of the relevant local development document being issued, which must include— 10
- (a) a list of the proposed developments in the authority's area;
- (b) the authority's assessment of the infrastructure required to support the proposed developments; and
- (c) the authority's proposals for providing the infrastructure in paragraph (b), including how the infrastructure will be funded. 15
- 3 Consultation**
- (1) In preparing an infrastructure requirement plan, the authority must consult—
- (a) the relevant health authority;
- (b) the relevant education authority;
- (c) the relevant provider of sewage services; 20
- (d) the relevant provider of waste disposal services;
- (e) the relevant train operating company;
- (f) the relevant water company; and
- (g) the Environment Agency.
- (2) In preparing an infrastructure requirement plan, the authority may consult— 25
- (a) the local passenger transport authority;
- (b) Network Rail; and
- (c) any other body or person which the authority considers to be appropriate.
- 4 Expenses to be borne by applicants** 30
- Any expenses incurred by the authority in preparing an infrastructure requirement plan shall be borne by the applicants for planning permission for the proposed developments.
- 5 Financial provisions**
- There is to be paid out of money provided by Parliament any increase attributable to this Act in the sums payable under any other Act out of money so provided.* 35
- 6 Short title, commencement and extent**
- (1) This Act may be cited as the Local Government (Infrastructure Requirement Plans) Act 2010.
- (2) This Act comes into force at the end of the period of 6 months beginning with the day on which it is passed. 40

(3) This Act extends to England and Wales.

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*Presented by Mr Mark Hoban,
supported by
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