

Status: Point in time view as at 01/04/1996.

Changes to legislation: Local Government, Planning and Land Act 1980, SCHEDULE 3 is up to date with all changes known to be in force on or before 26 July 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

SCHEDULE 3

Section 1(3)

RELAXION OF CONTROLS OVER FUNCTIONS RELATING TO AMENITY ETC.

Modifications etc. (not altering text)

- C1** The text of Schs. 2, 3, Sch. 4 paras. 1(1)(2)–(4), 10, Sch. 5, Sch. 6 paras. 1, 4–6, 10–16, 21, Sch. 7 Pt. I paras. 2(2)(5)(6), 3(2)(4), 6, 7, 8, Sch. 7 Pt. II paras. 14(1), 15, Sch. 23 Pt. II para. 2, Pt. III paras. 3–7, Pt. V paras. 12–20, Pt. VI para. 21, Sch. 25 Pt. II para. 7, Pt. III para. 8, Pt. IV para. 9, Sch. 26 para. 18, Sch. 33 paras. 1–5, 7, 13, 14 Sch. 34, Sch. 32 Pt. III para. 19 is in the form in which it was originally enacted: it was not reproduced in Statutes in Force and does not reflect any amendments or repeals which may have been made prior to 1.2.1991.

Commons Act 1876 (c. 56)

- 1 Omit section 8 (surburban commons procedure).

Commons Act 1899 (c. 30)

- 2 (1) In section 2 (procedure for making schemes)—
- (a) in subsection (1), omit the second sentence;
 - (b) in subsection (2), for “Board of Agriculture” substitute “ council ”;
 - (c) in subsection (3), for “Board of Agriculture” and “Board” substitute “ council ”;
 - (d) in subsection (4), for “Board of Agriculture” and for “Board”, in both places where it occurs, substitute “ Council ”.
- (2) Accordingly, for section 11 substitute—
- “**11** All expenses of incidental to the preparation and execution of a scheme under this Part of this Act shall be paid by the district council.”.
- 3 In section 12 (contributions towards expenses) omit the words “and subject to the approval of the Local Government Board”.

National Parks and Access to the Countryside Act 1949 (c. 97)

- 4 Omit section 37 (power of Minister to expedite maps etc.).
- 5 In section 61(3), omit paragraph (b) of the proviso (directions as to application of enactments).
- 6 Omit section 62(4) (reviews of access requirements) and accordingly—
- (a) in subsection (2), for the words from “forward” to the end substitute “ publish a notice containing a statement of their opinion ”; and
 - (b) in subsection (3), for “Minister” substitute “ authority ”.

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7 For section 69 substitute—

“69 Suspension of public access to avoid exceptional risk of fire.

If, upon application made the the county planning authority by any person interested in land comprised in an access agreement or order, or by any other person appearing the that authority to have a sufficient interest in the matter, the authority are satisfied that, by reason of any exceptional conditions of weather for the time being prevailing, access by the public to the land or any part of it is likely to result in fires occurring on it, the authority may direct that subsection (1) of section 60 of this Act shall not have effect in relation to the land during such period as may be specified in the direction.”.

8 Omit section 79 (access to woodlands).

9 In section 80(3), (variation of access agreements) omit “made with the approval of the Minister”.

Caravan Sites and Control of Development Act 1960 (c. 62)

10 (1) In section 3(2) (issue of site licences by local authorities) for the words from “particulars” to the end substitute “ other information as they may reasonably require.”.

(2) In subsections (4) and (5), for “particulars prescribed under” substitute “ information required by virtue of ”.

London Government Act 1963 (c. 33)

11 For section 58(1) (parks and open spaces) substitute—

“(1) The Open Spaces Act 1906, except section 14 shall have effect as if the London borough councils and the Greater London Council were included among the local authorities to whom it applies.”

Countryside Act 1968 (c. 41)

12 Omit section 17 (access orders: agricultural land).

Caravan Sites Act 1968 (c. 52)

13 For section 9 substitute—

“9 Power of Secretary of State to direct local authorities to provide sites.

The Secretary of State may, if at any time it appears to him to be necessary so to do, give directions to any local authority to which subsection (1) of section 6 of this Act applies requiring them to provide, pursuant to that section, such sites or additional sites, for the accommodation of such numbers of caravans, as may be specified in the directions ; and any such directions shall be enforceable, on the application of the Secretary of State, by mandamus.”.

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Refuse Disposal (Amenity) Act 1978 (c. 3)

- 14 In section 3(2) (which empowers a local authority to give notice in the prescribed manner that they propose to remove an abandoned motor vehicle but provides that they shall not be entitled to remove it if the person to whom the notice is given objects to their proposal in the prescribed manner and within the prescribed period) omit “in the prescribed manner” and “in the prescribed manner and”.
- 15 Omit section 4(4) (under which the Secretary of State may by regulations require a local authority by whom a vehicle is disposed of to give such information relating to the disposal as may be prescribed to such person as may be prescribed).
- 16 In section 6(2) (under which a local authority are not entitled to exercise their power too remove refuse other than motor vehicles which is situated on land appearing to the authority to be occupied by any person unless they have given him notice in the prescribed manner that they propose to remove it and he has failed to object to the proposal in the prescribed manner and within the prescribed period) omit “in the prescribed manner” and “in the prescribed manner and”.

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