

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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 1

Section 1.

LOCAL PLANNING AUTHORITIES: DISTRIBUTION OF FUNCTIONS

Preliminary

- 1 (1) In this Schedule “county matter” means in relation to any application, order or notice—
- (a) the winning and working of minerals in, on or under land (whether by surface or underground working) or the erection of any building, plant or machinery—
 - (i) which it is proposed to use in connection with the winning and working of minerals or with their treatment or disposal in or on land adjoining the site of the working; or
 - (ii) which a person engaged in mining operations proposes to use in connection with the grading, washing, grinding or crushing of minerals;
 - (b) the use of land, or the erection of any building, plant or machinery on land, for the carrying out of any process for the preparation or adaptation for sale of any mineral or the manufacture of any article from a mineral where—
 - (i) the land forms part of or adjoins a site used or proposed to be used for the winning and working of minerals; or
 - (ii) the mineral is, or is proposed to be, brought to the land from a site used, or proposed to be used, for the winning and working of minerals by means of a pipeline, conveyor belt, aerial ropeway, or similar plant or machinery, or by private road, private waterway or private railway;
 - (c) the carrying out of searches and tests of mineral deposits or the erection of any building, plant or machinery which it is proposed to use in connection with them;
 - (d) the [^{F1}depositing] of mineral waste;
 - (e) the use of land for any purpose required in connection with the transport by rail or water of aggregates (that is to say, any of the following, namely—
 - (i) sand and gravel;
 - (ii) crushed rock;
 - (iii) artificial materials of appearance similar to sand, gravel or crushed rock and manufactured or otherwise derived from iron or steel slags, pulverised fuel ash, clay or mineral waste),or the erection of any building, plant or machinery which it is proposed to use in connection with them;
 - (f) the erection of any building, plant or machinery which it is proposed to use for the coating of roadstone or the production of concrete or of concrete products or artificial aggregates, where the building, plant or machinery is to

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be erected in or on land which forms part of or adjoins a site used or proposed to be used—

- (i) for the winning and working of minerals; or
- (ii) for any of the purposes mentioned in paragraph (e) above;
- (g) the erection of any building, plant or machinery which it is proposed to use for the manufacture of cement;
- (h) the carrying out of operations in, on, over or under land, or a use of land, where the land is or forms part of a site used or formerly used for the winning and working of minerals and where the operations or use would conflict with or prejudice compliance with a restoration condition or an aftercare condition;
- (i) the carrying out of operations in, on, over or under land, or any use of land, which is situated partly in and partly outside a National Park;
- (j) the carrying out of any operation which is, as respects the area in question, a prescribed operation or an operation of a prescribed class or any use which is, as respects that area, a prescribed use or use of a prescribed class.

^{F2}(2)

Textual Amendments

- F1** Words in [Sch. 1 para. 1\(1\)\(d\)](#) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 13\(a\)](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)
- F2** [Sch. 1 para. 1\(2\)](#) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 21, 84(6), [Sch. 1 para. 13\(b\)](#), [Sch. 19 Pt.I](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

Development plans

- [^{F3}2 The functions of a local planning authority—
- (a) under sections 30 to 35B, 38(2) and 50(1), (4), (5) and (7) shall be exercisable by the county planning authority and not by the district planning authority;
 - (b) under section 36, 39, 40, 42 to 44 and 50(6), (7A) and (8) shall be exercisable by the district planning authority and not by the county planning authority;
- and references to a local planning authority in those sections shall be construed accordingly.]

Textual Amendments

- F3** [Sch. 1 para. 2](#) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 27, [Sch. 4 para. 35\(1\)](#) (with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, [art.4](#)

Planning and special control

- 3 (1) The functions of a local planning authority of determining—

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(a) applications for planning permission;
[^{F4}(b) applications for a certificate under section 191 or 192]
shall, subject to sub-paragraph (2), be exercised by the district planning authority.

(2) The functions of a local planning authority of determining any such application as is mentioned in sub-paragraph (1) which [^{F5}relates] to a county matter shall be exercised by the county planning authority.

^{F6}(3)

^{F6}(4)

^{F6}(5)

^{F6}(6)

(7) The previous provisions of this paragraph shall not apply to applications relating to land in a National Park, but paragraph 4 shall apply to such applications instead.

Textual Amendments

- F4** Sch. 1 para. 3(1)(b) substituted (27.7.1992) for para. 3(1)(b)(c) by [Planning and Compensation Act 1991](#) (c. 34, SIF 123:1), s. 32, [Sch. 7 para. 53\(2\)](#)(with s. 84(5)); S.I. 1992/1630, art. 2, [Sch. 1](#) (with art. 3(1))
- F5** Word in Sch. 1 para. 3(2) substituted (25.11.1991 for certain purposes and otherwise 2.1.1992) by [Planning and Compensation Act 1991](#) (c. 34, SIF 123:1), [ss. 19\(2\)\(a\)](#), 84(2)-(4)(with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, [art. 3](#) (subject to art. 4)
- F6** Sch. 1 para. 3(3)-(6) omitted (25.11.1991 for certain purposes and otherwise 2.1.1992) by virtue of [Planning and Compensation Act 1991](#) (c. 34, SIF 123:1), [ss. 19\(2\)\(b\)](#), 84(2)-(4)(6), Sch. 19 Pt. I (with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, [art. 3](#) (subject to art. 4)

4 ^{F7}(1)

(2) Where any [^{F8}application for planning permission, for a certificate under section 191 or 192 or for consent to the display of advertisements under section 220, relating in each case] to land in a National Park or an application so relating for approval of a matter reserved under an outline planning permission within the meaning of section 92 falls to be determined by a county planning authority, that authority shall before determining it consult with the district planning authority for the area in which the land to which the application relates is situated.

Textual Amendments

- F7** Sch. 1 para. 4(1) repealed (25.11.1991 for certain purposes, 2.1.1992 for other purposes and 6.4.1992 so far as not yet in force) by virtue of [Planning and Compensation Act 1991](#) (c. 34, SIF 123:1), [ss. 19\(2\)\(b\)](#), 84(6), [Sch. 19 Pt. I](#) (with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, [art. 3](#) (subject to art. 5); S.I. 1992/665, [art. 2](#)
- F8** Words in Sch 1 para. 4(2) substituted (2.1.1992 for certain purposes and 6.4.1992 otherwise) by [Planning and Compensation Act 1991](#) (c. 34, SIF 123:1), s. 32, [Sch. 7 para. 53\(3\)](#) (with s. 84(5)); S.I. 1991/2905, [art. 3](#), [Sch. 1](#) (subject to art. 5); S.I. 1992/665, [art. 2](#)

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- 5 (1) The Secretary of State may include in a development order such provisions as he thinks fit enabling a local highway authority to impose restrictions on the grant by the local planning authority of planning permission for the following descriptions of development relating to land in the area of the local highway authority—
- (a) the formation, laying out or alteration of any means of access to a road classified under section 12(3) of the ^{M1}Highways Act 1980 or section 27 of the ^{M2}Local Government Act 1966 or to a proposed road the route of which has been adopted by resolution of the local highway authority and notified as such to the local planning authority;
 - (b) any other operations or use of land which appear to the local highway authority to be likely to result in a material increase in the volume of traffic entering or leaving such a classified or proposed road, to prejudice the improvement or construction of such a road or to result in a material change in the character of traffic entering, leaving or using such a road.
- (2) The reference to a local planning authority in sub-paragraph (1) shall not be construed as including a reference to an urban development corporation who are the local planning authority by virtue of an order under section 149 of the Local Government, ^{M3}Planning and Land Act 1980, and no provision of a development order which is included in it by virtue of that paragraph is to be construed as applying to such a corporation.
- (3) The Secretary of State may include in a development order provision enabling a local highway authority to impose restrictions on the grant by an urban development corporation who are the local planning authority of planning permission for such descriptions of development as may be specified in the order.

Marginal Citations

- M1** 1980 c. 66.
M2 1966 c. 42.
M3 1980 c. 65.

- 6 (1) A development order may also include provision requiring a county planning authority who are determining any application mentioned in paragraph 3 and relating to a county matter, or an application for approval of a matter reserved under an outline planning permission within the meaning of section 92 and so relating, to give the district planning authority for the area in which the land to which the application relates is situated an opportunity to make recommendations to the county planning authority as to the manner in which the application is determined, and to take into account any such recommendations.
- (2) It may also include provision requiring a county or district planning authority who have received any application so mentioned or any application for such approval (including any such application relating to land in a National Park) to notify the district or, as the case may be, county planning authority of the terms of their decision, or, where the application is referred to the Secretary of State, the date when it was so referred and, when notified to them, the terms of his decision.

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- 7 (1) It shall be the duty of a local planning authority in a non-metropolitan county when exercising their functions under ^{F9}section 70] to seek the achievement of the general objectives of the structure plan for the time being in force in their area.
- (2) Subject to sub-paragraph (4), the district planning authority shall consult the county planning authority for their area before determining any application to which this sub-paragraph applies.
- (3) Sub-paragraph (2) applies to any application for planning permission for the carrying out—
- (a) of any development of land which would materially conflict with or prejudice the implementation—
 - ^{F10}(i) of any policy contained in a structure plan which has been adopted or approved;
 - (ii) of any policy contained in proposals made available for inspection under section 33(2);]
 - (iv) of a fundamental provision of a development plan to which paragraph 2 of Part III of Schedule 2 applies, so far as the development plan is in force in the district planning authority's area;
 - ^{F11}(v) of any policy contained in a minerals local plan or a waste local plan which has been adopted or approved;
 - (vi) of any policy contained in proposals for the making, alteration or replacement of a minerals local plan or a waste local plan which have been made available for inspection under section 40(2);
 - (vii) of any proposal contained in a local plan which was prepared by the county planning authority and continued in operation by virtue of paragraph 44 of Schedule 4 to the ^{M4}Planning and Compensation Act 1991;
 - (viii) of any proposal contained in proposals in respect of a local plan which have been prepared by the county planning authority and are adopted or approved by virtue of paragraph 43 of that Schedule or made available for inspection in pursuance of that paragraph;]
 - (b) of any development of land which would, by reason of its scale or nature or the location of the land, be of major importance for the implementation of a structure plan;
 - (c) of any development of land in an area which the county planning authority have notified to the district planning authority, in writing, as an area in which development is likely to affect or be affected by the winning and working of minerals, other than coal;
 - (d) of any development of land which the county planning authority have notified the district planning authority, in writing, that they themselves propose to develop;
 - (e) of any development of land which would prejudice the carrying out of development proposed by the county planning authority and notified to the district planning authority under paragraph (d);
 - (f) of any development of land in England in respect of which the county planning authority have notified the district planning authority, in writing, that it is proposed that it shall be used for waste disposal;
 - (g) of any development of land which would prejudice a proposed use of land for waste disposal notified to the district planning authority under paragraph (f).

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- (4) The district planning authority may determine any application to which sub-paragraph (2) applies without the consultation required by that sub-paragraph if the county planning authority have given them directions authorising them to do so.
- (5) A direction under sub-paragraph (4) may relate to a class of applications or to a particular application.
- (6) Subject to sub-paragraph (7), where the district planning authority are required to consult the county planning authority before determining an application for planning permission—
 - (a) they shall give the county planning authority notice that they propose to consider the application and send them a copy of it; and
 - (b) they shall not determine it until the expiration of such period from the date of the notice as a development order may provide.
- (7) A district planning authority may determine an application for planning permission before the expiration of such a period as is mentioned in sub-paragraph (6)(b)—
 - (a) if they have received representations concerning the application from the county planning authority before the expiration of that period; or
 - (b) if the county planning authority have notified them that they do not wish to make representations.
- (8) Where a district planning authority are required to consult the county planning authority before determining an application for planning permission, they shall in determining it take into account any representations relating to it which they have received from the county planning authority before the expiration of the period mentioned in sub-paragraph (6)(b).

Textual Amendments

- F9** Words in *Sch. 1 para. 7(1)* substituted (17.7.1992) by *Planning and Compensation Act 1991 (c. 34, SIF 123:1)*, s. 32, **Sch. 7 para. 53(4)**(with s. 84(5)); S.I. 1992/1491, art. 2, **Sch. 1**
- F10** *Sch. 1 para. 7(3)(a)(i)-(ii)* substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) for para. 3(a)(i)-(iii) by *Planning and Compensation Act 1991 (c. 34, SIF 123:1)*, s. 27, **Sch. 4 Pt. II para. 35(2)(a)**(with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1991/2905, art. 4
- F11** *Sch.1 para. 7(3)(a)(v)-(viii)* substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) for para. 3(a)(v)-(vii) by *Planning and Compensation Act 1991 (c. 34, SIF 123:1)*, s. 27, **Sch. 4 Pt. II para. 35(2)(b)**(with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1991/2905, art. 4

Marginal Citations

- M4** 1991 c. 34.

- [^{F128} (1) A local planning authority who have the function of determining applications for planning permission shall, if requested to do so by the council of any parish or community situated in their area, notify the council of—
- (a) any relevant planning application; and
 - (b) any alteration to that application accepted by the authority.
- (2) In sub-paragraph (1) “a relevant planning application” means an application which—
- (a) relates to land in the parish or community; and
 - (b) is an application for—

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- (i) planning permission; or
 - (ii) approval of a matter reserved under an outline planning permission within the meaning of section 92.
- (3) Any request made for the purposes of sub-paragraph (1) shall be in writing and state that the council wishes to be notified of all relevant applications or all applications of a description specified in the request.
- (4) An authority shall comply with the duty to notify a council of an application by—
- (a) sending the council a copy of the application; or
 - (b) indicating to the council the nature of the development which is the subject of the application and identifying the land to which it relates,
- and any notification falling within paragraph (b) shall be in writing.
- (5) An authority shall comply with their duty to notify a council of an alteration by—
- (a) sending a copy of the alteration to the council; or
 - (b) informing the council in writing of its general effect,
- but they need not notify a council of an alteration which in their opinion is trivial.
- (6) A development order may require a local planning authority which is dealing with an application of which a council is entitled to be notified—
- (a) to give the council an opportunity to make representations to them as to the manner in which the application should be determined;
 - (b) to take into account any such representations;
 - (c) to notify the council of the terms of their decision or, where the application is referred to the Secretary of State, the date when it was so referred and, when notified to them, the terms of his decision.]

Textual Amendments

F12 Sch. 1 para. 8 substituted (2.1.1992 for certain purposes and otherwise 9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 53\(5\)](#)(with s. 84(5)); S.I. 1991/2905, art. 3, [Sch. 1](#) (subject to art. 5); S.I. 1992/2831, [art. 2](#) (with art. 3)

- 9 (1) The functions of local planning authorities under the provisions of this Act relating to simplified planning zone schemes shall be exercised in non-metropolitan counties by the district planning authorities.

^{F13}(2)

^{F13}(3)

Textual Amendments

F13 Sch. 1 para. 9(2)(3) repealed (25.11.1991 for certain purposes and otherwise 9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 28, 84(6), [Sch. 5 Pt. II para.3](#), [Sch. 19 Pt.I](#) (with s. 84(5)); S.I. 1991/2728, [art.2](#); S.I. 1992/2413, [art. 2](#) (with art. 3); S.I. 1992/2831, art. 2, [Sch.](#)

- 10 Elsewhere than in a National Park, the functions of a local planning authority under section 94 shall be exercisable by the district planning authority, except that where the relevant planning permission was granted by the county planning authority, those functions, so far as relating to that permission, shall be exercisable by the

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county planning authority and also by the district planning authority after consulting the county planning authority.

- 11 (1) The functions of a local planning authority of—
- (a) making orders under section 97 revoking or modifying planning permission, or under section 102 requiring discontinuance of use, imposing conditions on continuance of use or requiring the alteration or removal of buildings or works, or
 - (b) issuing enforcement notices under section 172 or serving [^{F14}planning contravention notices under section 171C or] stop notices under section 183 [^{F15}or breach of condition notices under section 187A],
- shall, subject to sub-paragraphs (2) to (4), be exercisable by the district planning authority.
- (2) In a case where it appears to the district planning authority of a district in a non-metropolitan county that the functions mentioned in sub-paragraph (1) relate to county matters, they shall not exercise those functions without first consulting the county planning authority.
- (3) Subject to sub-paragraph (4), in a non-metropolitan county those functions shall also be exercisable by a county planning authority in a case where it appears to that authority that they relate to a matter which should properly be considered a county matter.
- (4) In relation to a matter which is a county matter by virtue of any of the provisions of paragraph 1(1)(a) to (h) the functions of a local planning authority specified in sub-paragraph (1)(b) shall only be exercisable by the county planning authority in their capacity as mineral planning authority.

Textual Amendments

- F14** Words in Sch. 1 para. 11(1)(b) inserted (2.1.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, Sch. 7 para. 53(6) (with s. 84(5)); S.I. 1991/2905, art. 3, Sch. 1 (subject to art. 5)
- F15** Words in Sch. 1 para. 11(1)(b) inserted (27.7.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, Sch. 7 para. 53(6)(with s. 84(5)); S.I. 1992/1630, art. 2, Sch. 1 (with art. 3(1))

- 12 In sections 178(1), 181(4)(b) and 190(2) to (5) any reference to the local planning authority shall be construed as a reference to the authority who issued the notice or made the order in question or, in the case of an notice issued or an order made by the Secretary of State, the authority named in the notice or order.
- [^{F16}12A The functions of a local planning authority under section 187B are exercisable by any body having the function of taking enforcement action in respect of the breach in question]

Textual Amendments

- F16** Sch. 1 para. 12A inserted (2.1.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, Sch. 7 para. 53(7) (with s. 84(5)); S.I. 1991/2905, art. 3, Sch. 1 (subject to art. 5)

- 13 (1) A county planning authority may only make a tree preservation order—
- (a) if they make it in pursuance of section 197(b);

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- (b) if it relates to land which does not lie wholly within the area of a single district planning authority;
 - (c) if it relates to land in which the county planning authority hold an interest; or
 - (d) if it relates to land in a National Park.
- (2) Where a local planning authority have made a tree preservation order under section 198 or the Secretary of State has made such an order by virtue of section 202, the powers of varying or revoking the order and the powers of dispensing with section 206 or serving, or appearing on an appeal relating to, a notice under section 207 shall be exercisable only by the authority who made the order or, in the case of an order made by the Secretary of State, the authority named in the order.
- 14 The functions of local planning authorities under sections 69, 211, 214, 220, 221, 224 and 225, and in non-metropolitan counties the functions under section 215, are exercisable by district planning authorities.
- 15 (1) The copy of the notice required to be served by paragraph 4(5) of Schedule 8 on a local planning authority shall, in the case of a proposal that a government department should give a direction under section 90(1) or that development should be carried out by or on behalf of a government department, be served on the local planning authority who, in the opinion of the Secretary of State, would have been responsible for dealing with an application for planning permission for the development in question if such an application had fallen to be made.
- (2) References in paragraphs 3(2) and 5(1) of that Schedule to the local planning authority shall be construed as references to the local planning authority on whom that copy is required to be served.

Compensation

- 16 (1) Claims for payment of compensation under section 107 (including that section as applied by section 108) and sections ^{F17} . . . 115(1) to (4), 186 and 223 shall, subject to sub-paragraph (3), be made to and paid by the local planning authority who took the action by virtue of which the claim arose or, where that action was taken by the Secretary of State, the local planning authority from whom the appeal was made to him or who referred the matter to him or, in the case of an order made or notice served by him by virtue of section 100, 104 or 185, the appropriate authority, and references in those sections to a local planning authority shall be construed accordingly.
- (2) In this paragraph “appropriate authority” means—
 - (a) in the case of a claim for compensation under section 107 or 108, the local planning authority who granted, or are to be treated for the purposes of section 107 as having granted, the planning permission the revocation or modification of which gave rise to the claim;
 - (b) in the case of a claim for compensation under section 115(1) to (4) or 186, the local planning authority named in the relevant order or stop notice of the Secretary of State;
 - (c) in the case of a claim for compensation under section 223, the district planning authority.
- (3) The Secretary of State may after consultation with all the authorities concerned direct that where a local planning authority is liable to pay compensation under any of the provisions mentioned in sub-paragraph (1) in any particular case or class of case they

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shall be entitled to be reimbursed the whole of the compensation or such proportion of it as he may direct from one or more authorities specified in the direction.

- (4) The local planning authority by whom compensation is to be paid and to whom claims for compensation are to be made under section 144(2) shall be the district planning authority.

Textual Amendments

F17 Word in *Sch. 1 para. 16(1)* repealed (25.9.1991) by *Planning and Compensation Act 1991 (c. 34, SIF 123:1)*, ss. 31(4), 84(6), *Sch. 6 para. 39, Sch. 19 Pt.II* (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

- 17 Claims for payment of compensation under a tree preservation order by virtue of section 203, and claims for payment of compensation under section 204 by virtue of directions given in pursuance of such an order, shall be made to and paid by the local planning authority who made the order or, in the case of an order made by the Secretary of State, the authority named in the order; and the reference in section 204(2) to the authority exercising functions under the tree preservation order shall have effect subject to the provisions of this paragraph.
- 18 The local planning authority by whom compensation is to be paid under section 279(1)(a) to statutory undertakers shall be the authority who referred the application for planning permission to the Secretary of State and the appropriate Minister, or from whose decision the appeal was made to them or who served the enforcement notice appealed against, as the case may be.

The Crown

- 19 (1) Elsewhere than in a metropolitan county or a National Park the functions conferred by section 302 and Schedule 15 on the authority responsible for enforcing planning control shall, subject to sub-paragraph (3)—
- (a) in the case of works on or a use of land which in the opinion of the district planning authority relates to a county matter, be exercised by the county planning authority;
 - (b) in any other case be exercised by the district planning authority.
- (2) As respects an area in a National Park outside a metropolitan county those functions shall be exercised by the county planning authority.
- (3) Every application made under subsection (3) of that section to an authority responsible for enforcing planning control shall be made to the district planning authority who, in the case of an application falling to be determined by the county planning authority, shall send it on to the latter.
- (4) A county planning authority determining any such application shall give the district planning authority for the area in which the land to which the application relates is situated an opportunity to make recommendations to the county planning authority as to the manner in which the application should be determined and shall take any such recommendations into account.
- (5) A county or district planning authority who have dealt with any such application shall notify the district or, as the case may be, the county planning authority of the

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terms of their determination or, in a case where the application has been referred to the Secretary of State, the date when it was so referred.

Miscellaneous

- 20 (1) The local planning authority whom the Secretary of State is required to consult under section [F18 100(3), 104(3), 196A(3), 202(1) or 214B(6)] or serve with a notice of his proposals under section 100(4) or 104(4) shall be the county planning authority or the district planning authority, as he thinks appropriate, and references in sections 100(2), (3) and (4) and 104(2), (3) and (4) and 202 to the local planning authority shall be construed accordingly.
- (2) In sections 96, 182 and 185 any reference to the local planning authority shall be construed as a reference to the county planning authority or the district planning authority, as the Secretary of State thinks appropriate.
- [F19(3) In relation to land in the area of a joint planning board, a person entering into a planning obligation under section 106 or 299A may identify the council of the county in which the land is situated as the authority by whom the obligation is enforceable.]
- (4) In paragraph 16 of Schedule 13 the reference to the local planning authority shall be construed—
- (a) in relation to land in a National Park outside a metropolitan county, as a reference to the county planning authority; and
 - (b) in relation to land elsewhere, as a reference to the district planning authority.

Textual Amendments

- F18** Words in Sch. 1 para. 20(1) substituted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 53\(8\)](#)(with s. 84(5)); S.I. 1991/2905, art. 3, [Sch.1](#) (subject to art. 5)
- F19** [Sch. 1 para. 20\(3\)](#) substituted (25.10.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 53\(9\)](#)(with s. 84(5)); S.I. 1991/2272, [art. 3](#)

- 21 (1) Subject to sub-paragraph (2), the provisions of this Schedule do not apply in Greater London.
- (2) Paragraph 5(3) of this Schedule applies in Greater London and paragraph 2(3) of Part I and of Part II of Schedule 2 shall apply as respects the temporary application of paragraph 7(1) of this Schedule in the metropolitan counties and in Greater London respectively.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

VALID FROM 01/04/1996

[^{F20}SCHEDULE 1A

DISTRIBUTION OF LOCAL PLANNING AUTHORITY FUNCTIONS: WALES

Textual Amendments

F20 Sch. 1A inserted (1.4.1996) by 1994 c. 19, s. 18(7), **Sch. 4** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/3198, art. 4, **Sch. 2**

SCHEDULE 2

Sections 28 and 54.

DEVELOPMENT PLANS: TRANSITIONAL PROVISIONS

PART I

THE METROPOLITAN COUNTIES

Modifications etc. (not altering text)

C1 Sch. 2 Pt. I applied (with modifications) (*temp.* from 1.5.1994) by S.I. 1994/1210, **art. 7(3)(a)**
 Sch. 2 Pt. I applied (with modifications) (*temp.* from 1.4.1998) by S.I. 1996/1863, **art. 4(4)(a)**
 Sch. 2 Pt. I applied (with modifications) (*temp.* from 1.4.1998) by S.I. 1996/1867, **art. 13(4)(a)**
 Sch. 2 Pt. I applied (with modifications) (*temp.* from 1.4.1998) by S.I. 1996/1875, **art. 5(6)(a)**

Continuation of structure plans, local plans and old development plans

1 (1) Subject to paragraphs 2 and 3—

- (a) the structure plan,
- (b) any local plan; and
- (c) any old development plan,

which immediately before the commencement of this Act was in force in the area of a local planning authority in a metropolitan county (or in that and other areas) shall continue in force in respect of the area of that authority until a unitary development plan for that area becomes operative under Chapter I of Part II of this Act or, where parts of a unitary development plan become operative on different dates, until every part of it has become operative.

(2) A plan which continues in force by virtue of this paragraph shall, while it continues in force, be treated for the purposes of this Act, any other enactment relating to town

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

and country planning, the ^{M8}Land Compensation Act 1961 and the ^{M9}Highways Act 1980 as being, or being comprised in, the development plan in respect of the area in question.

- (3) In this paragraph “old development plan” means any plan which was in force in the area in question immediately before the commencement of this Act by virtue of Schedule 7 to the 1971 Act and paragraph 18 of Schedule 1 to the ^{M10}Local Government Act 1985.

Marginal Citations

- M8** 1961 c. 33.
M9 1980 c. 66.
M10 1985 c. 51.

Revocation of structure plan

- 2 (1) Where under Chapter I of Part II of this Act the Secretary of State approves all or any of Part I of a unitary development plan he may by order—
- (a) wholly or partly revoke a structure plan continued in force by paragraph 1, either in its application to the whole of the area of a local planning authority or in its application to part of that area; and
 - (b) make such consequential amendments to that plan as appear to him to be necessary or expedient.
- (2) Before making an order under this paragraph the Secretary of State shall consult the local planning authority for the area to which the unitary development plan relates.
- (3) Until the structure plan for an area in a metropolitan county ceases to be operative under paragraph 1 or this paragraph, paragraph 7(1) of Schedule 1 shall apply in that area with the omission of the words “in a non-metropolitan county”.

Local plans until commencement of Chapter I of Part II

F213

Textual Amendments

- F21** Sch 2 Pt. I para. 3 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(a), [Sch. 19 Pt. I](#) (with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, [art. 4](#), [Sch. 3](#)

Incorporation of current local plan in unitary development plan

- [F224 (1) Sub - paragraph (2) applies where -
- (a) a local plan is in force in the area of a local planning authority;

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- (b) a unitary development plan is being prepared;
 - (c) the local planning authority who are preparing that plan have published in the prescribed manner a statement in the prescribed form identifying a policy included in the plan as an existing policy; and
 - (d) a local inquiry or other hearing is held for the purpose of considering any objection to the plan.
- (2) Where this sub-paragraph applies, the person holding the inquiry or other hearing need not allow an objector to appear if he is satisfied that—
- (a) the objection is to a policy identified in the statement published under sub-paragraph (1)(c);
 - (b) the policy so identified is an existing policy; and
 - (c) there has been no significant change in circumstances affecting the existing policy since it first formed part of the plan mentioned in sub-paragraph (1) (a).
- (3) In this paragraph “existing policy” means a policy or proposal the substance of which (however expressed) was contained in a local plan in force as mentioned in sub-paragraph (1)(a).]

Textual Amendments

F22 Sch. 2 Pt. I para. 4 substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 27, Sch. 4 Pt. II, para. 36(2) (with s. 84(5)); S.I. 1991/2728, art.2; S.I. 1991/2905, art.4

Publicity in connection with local plan

F23₅

Textual Amendments

F23 Sch. 2 Pt. I para. 5 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(a), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1991/2905, art.4, Sch. 3

Pending proposals by metropolitan county council

F24₆

Textual Amendments

F24 Sch. 2 Pt. I para. 6 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(a), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1991/2905, art.4, Sch. 3

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

VALID FROM 01/04/1996

[^{F25} **PART IA**

WALES]

Textual Amendments

F25 Sch. 2 Pt. IA inserted (1.4.1996) by 1994 c. 19, s. 20(3), **Sch. 5 Pt. II para. 8** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/3198, art. 4, **Sch. 2**

PART II

GREATER LONDON

Continuation of Greater London Development Plan, local plans and old development plans

1 (1) Subject to paragraphs 2 and 3—

- (a) the Greater London Development Plan,
- (b) any local plan; and
- (c) any old development plan,

which immediately before the commencement of this Act was in force in the area of a local planning authority in Greater London (or in that and other areas) shall continue in force in respect of the area of that authority until a unitary development plan for that area becomes operative under Chapter I of Part II of this Act or, where parts of a unitary development plan become operative on different dates, until every part of it has become operative.

(2) A plan which continues in force by virtue of this paragraph shall, while it continues in force, be treated for the purposes of this Act, any other enactment relating to town and country planning, the^{M11}Land Compensation Act 1961 and the^{M12}Highways Act 1980 as being, or being comprised in, the development plan in respect of the area in question.

(3) In this paragraph “old development plan” has the same meaning as in paragraph 1 of Part I of this Schedule.

Marginal Citations

M11 1961 c. 33.
M12 1980 c. 66.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Revocation of Greater London Development Plan

- 2 (1) Where under Chapter I of Part II of this Act the Secretary of State approves all or any of Part I of a unitary development plan he may by order—
 - (a) wholly or partly revoke the Greater London Development Plan, either in its application to the whole of the area of a local planning authority or in its application to part of that area; and
 - (b) make such consequential amendments to that plan as appear to him to be necessary or expedient.
- (2) Before making an order under this paragraph the Secretary of State shall consult the local planning authority for the area to which the unitary development plan relates.
- (3) Until the Greater London Development Plan ceases to be operative in an area under paragraph 1 or this paragraph, paragraph 7(1) of Schedule 1 shall apply in that area—
 - (a) with the omission of the words “in a non-metropolitan county”; and
 - (b) with the substitution for the reference to the structure plan of a reference to that Plan.

Surveys and local plans

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F26₃

Textual Amendments
F26 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), [Sch. 19 Pt.I](#)(with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, [art.4](#), [Sch. 3](#)

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F27₄

Textual Amendments
F27 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), [Sch. 19 Pt.I](#)(with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, [art.4](#), [Sch. 3](#)

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F28₅

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F28 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art.4, **Sch. 3**

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F29₆

Textual Amendments

F29 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch. 3**

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F30₇

Textual Amendments

F30 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch. 3**

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F31₈

Textual Amendments

F31 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch.3**

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F32₉

Textual Amendments

F32 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch.3**

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

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F33₁₀

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Textual Amendments

F33 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt. I**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch.3**

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F34₁₁

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Textual Amendments

F34 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch.3**

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F35₁₂

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Textual Amendments

F35 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch.3**

Joint plans

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F36₁₃

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Textual Amendments

F36 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch.3**

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F37₁₄

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F37 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch. 3**

F38 15

Textual Amendments

F38 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss.27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch.3**

F39 16

Textual Amendments

F39 Sch. 2 Pt. II paras. 3-16 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 36(1)(b), **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch.3**

Incorporation of current local plan in unitary development plan

[^{F40}17 (1) Sub-paragraph (2) applies where—

- (a) a local plan is in force in the area of a local planning authority;
- (b) a unitary development plan is being prepared;
- (c) the local planning authority who are preparing that plan have published in the prescribed manner a statement in the prescribed form identifying a policy included in the plan as an existing policy; and
- (d) a local inquiry or other hearing is held for the purpose of considering any objection to the plan.

(2) Where this sub-paragraph applies, the person holding the inquiry or other hearing need not allow an objector to appear if he is satisfied that—

- (a) the objection is to a policy identified in the statement published under sub-paragraph (1)(c);
- (b) the policy so identified is an existing policy; and
- (c) there has been no significant change in circumstances affecting the existing policy since it first formed part of the plan mentioned in sub-paragraph (1) (a).

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- (3) In this paragraph “existing policy” means a policy or proposal the substance of which (however expressed) was contained in a local plan in force as mentioned in subparagraph (1)(a).]

Textual Amendments

- F40** Sch. 2 Pt. II para. 17 substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 27, [Sch. 4 Pt. II para. 36\(2\)](#) (with s. 84(5)); S.I. 1991/2728, [art.2](#); S.I. 1991/2905, art. 4, [Sch.3](#)

Publicity in connection with local plan

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F41 18

Textual Amendments

- F41** Sch. 2 Pt. II para. 18 repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 27, 84(6), [Sch. 4 Pt. II para. 36\(1\)\(b\)](#), [Sch. 19 Pt.I](#); S.I. 1991/2728, [art. 2](#); S.I. 1991/2905, art.4, [Sch. 3](#)

PART III

OLD DEVELOPMENT PLANS

Modifications etc. (not altering text)

- C2** Sch. 2 Pt. III applied (*temp.* from 1.5.1994) by S.I. 1994/1210, [art. 7\(3\)](#)
Sch. 2 Pt. III applied (*temp.* from 1.4.1998) by S.I. 1996/1863, [art. 4\(4\)\(b\)](#)
Sch. 2 Pt. III applied (*temp.* from 1.4.1998) by S.I. 1996/1867, [art. 13\(4\)\(b\)](#)
Sch. 2 Pt. III applied (*temp.* from 1.4.1998) by S.I. 1996/1875, [art. 5\(6\)\(b\)](#)

Preliminary

- 1 In this Part of this Schedule “old development plan” means a development plan to which paragraph 2 of Schedule 7 to the 1971 Act (continuation in force of development plans prepared before structure plans became operative) applied immediately before the commencement of this Act.

Continuation in force of old development plans

- 2 Any old development plan which immediately before the commencement of this Act was in force as respects any district shall, subject to the provisions of this Part of this Schedule, continue in force as respects that district and be treated for the

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

purposes of this Act, any other enactment relating to town and country planning, the ^{M13}Land Compensation Act 1961 and the ^{M14}Highways Act 1980 as being comprised in the development plan for that district.

Marginal Citations

M13 1961 c. 33.

M14 1980 c. 66.

Other plans to prevail over old development plans

- 3 Subject to the following provisions of this Part of this Schedule, where by virtue of paragraph 2 the old development plan for any district is treated as being comprised in a development plan for that district—
- (a) if there is a conflict between any of its provisions and those of the structure plan for that district, or, in the case of Greater London, the Greater London Development Plan the provisions of the structure plan or, as the case may be, that Plan shall be taken to prevail for the purposes of Parts III, V, VI, VII, VIII and IX of this Act and of the ^{M15}Planning (Listed Buildings and Conservation Areas) Act 1990 and the ^{M16}Planning (Hazardous Substances) Act 1990; and
 - (b) if there is a conflict between any of its provisions and those of a local plan, the provisions of the local plan shall be taken to prevail for those purposes.

Marginal Citations

M15 1990 c. 9.

M16 1990 c. 10.

Street authorisation maps

- 4 Where immediately before the commencement of this Act a street authorisation map prepared in pursuance of the ^{M17}Town and Country Planning (Development Plans) Regulations 1965 or the ^{M18}Town and Country Planning (Development Plans for Greater London) Regulations 1966 was treated for the purposes of the 1971 Act as having been adopted as a local plan for a district by a local planning authority, it shall continue to be so treated.

Marginal Citations

M17 S.I. 1965/1453.

M18 S.I. 1966/48.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Development plans for compensation purposes

- 5 Where there is no local plan in force in a district, then, for any of the purposes of the Land Compensation Act 1961—
- (a) the development plan or current development plan shall as respects that district be taken as being whichever of the following plans gives rise to those assumptions as to the grant of planning permission which are more favourable to the owner of the land acquired, for that purpose, namely the structure plan or, as the case may be, the Greater London Development Plan, so far as applicable to the district, and any alterations to it, together with the Secretary of State's notice of approval of the plan and alterations, and the old development plan;
 - (b) land situated in an area defined in the current development plan as an area of comprehensive development shall be taken to be situated in whichever of the following areas leads to such assumptions as are mentioned in paragraph (a), namely any area wholly or partly within that district selected by the structure plan or, as the case may be, the Greater London Development Plan as an action area and the area so defined in the old development plan.

Discontinuance of old development plan on adoption of local plan

- 6 Subject to paragraph 8, on the adoption or approval of a local plan under section 43 or 45 or paragraph 10 of Part II of this Schedule so much of any old development plan as relates to the area to which the local plan relates shall cease to have effect.
- 7 The Secretary of State may by order direct that any of the provisions of the old development plan shall continue in force in relation to the area to which the local plan relates.
- 8 If the Secretary of State makes an order under paragraph 7, the provisions of the old development plan specified in the order shall continue in force to the extent so specified.
- 9 Subject to paragraph 10, the Secretary of State may by order wholly or partly revoke a development plan continued in force under this Schedule whether in its application to the whole of the area of a local planning authority or in its application to part of that area and make such consequential amendments to the plan as appear to him to be necessary or expedient.
- 10 Before making an order with respect to a development plan under paragraph 7 or 9, the Secretary of State shall consult with the local planning authority for the area to which the plan relates.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

SCHEDULE 3

Sections 55, 107 and 114.

DEVELOPMENT NOT CONSTITUTING NEW DEVELOPMENT

PART I

DEVELOPMENT NOT RANKING FOR COMPENSATION UNDER S. 114

- 1 The carrying out of—
- (a) the rebuilding, as often as occasion may require, of any building which was in existence on 1st July 1948, or of any building which was in existence before that date but was destroyed or demolished after 7th January 1937, including the making good of war damage sustained by any such building;
 - (b) the rebuilding, as often as occasion may require, of any building erected after 1st July 1948 which was in existence at a material date;
 - (c) the carrying out for the maintenance, improvement or other alteration of any building, of works which—
 - (i) affect only the interior of the building, or do not materially affect the external appearance of the building, and
 - (ii) are works for making good war damage,so long as the cubic content of the original building is not substantially exceeded.
- 2 The use as two or more separate dwellinghouses of any building which at a material date was used as a single dwellinghouse.

PART II

DEVELOPMENT RANKING FOR COMPENSATION UNDER S. 114

F42₃

Textual Amendments

F42 Sch. 3 paras 3-8 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31, 84(6), Sch. 6 para. 40(1), **Sch. 19 Pt.II** (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F43₄

Textual Amendments

F43 Sch. 3 paras. 3-8 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31, 84(6), Sch. 6 para. 40(1), **Sch. 19 Pt.II** (with s. 84(5)); S.I. 1991/2067, **art. 3** (subject to art. 4)

F44₅

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F44 Sch. 3 paras. 3-8 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31, 84(6), [Sch. 6 para. 40\(1\)](#), [Sch. 19 Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F45 6

Textual Amendments

F45 Sch. 3 paras. 3-8 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31, 84(6), [Sch. 6 para. 40\(1\)](#), [Sch. 19 Pt.II](#)(with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to art. 4)

F46 7

Textual Amendments

F46 Sch. 3 paras. 3-8 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31, 84(6), [Sch. 6 para. 40\(1\)](#), [Sch. 19 Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F47 8

Textual Amendments

F47 Sch 3 paras. 3-8 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31, 84(6), [Sch. 6 para. 40\(1\)](#), [Sch. 19 Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

PART III

SUPPLEMENTARY PROVISIONS

- 9 Where after 1st July 1948—
- (a) any buildings or works have been erected or constructed, or any use of land has been instituted, and
 - (b) any condition imposed under Part III of this Act, limiting the period for which those buildings or works may be retained, or that use may be continued, has effect in relation to those buildings or works or that use,
- this Schedule shall not operate except as respects the period specified in that condition.
- 10 (1) Any reference in this Schedule to the cubic content of a building shall be construed as a reference to that content as ascertained by external measurement.
- (2) For the purposes of [^{F48}paragraph 1] the cubic content of a building is substantially increased or exceeded—
- (a) in the case of a dwellinghouse, if it is increased or exceeded by more than one-tenth or 1,750 cubic feet, whichever is the greater; and
 - (b) in any other case, if it is increased or exceeded by more than one-tenth.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F48 Words in [Sch. 3 para. 10\(2\)](#) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31, 84(5), [Sch. 6 para. 40\(2\)](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

^{F49}11

Textual Amendments

F49 [Sch. 3 para. 11](#) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31, 84(6), [Sch. 6 para. 40\(1\)](#), [Sch. 19 Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

- 12 (1) In this Schedule “at a material date” means at either—
- (a) 1st July 1948; or
 - (b) the date by reference to which this Schedule falls to be applied in the particular case in question.
- (2) Sub-paragraph (1)(b) shall not apply in relation to any buildings, works or use of land in respect of which, whether before or after the date mentioned in that sub-paragraph, an enforcement notice served before that date has become or becomes effective.
- 13 (1) In relation to a building erected after 1st July 1948 which results from the carrying out of any such works as are described in paragraph 1, any reference in this Schedule to the original building is a reference to the building in relation to which those works were carried out and not to the building resulting from the carrying out of those works.

[^{F50}(2) This paragraph does not apply for the purposes of sections 111 and 138.]

Textual Amendments

F50 [Sch. 3 para. 13\(2\)](#) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31, 84(5), [Sch. 6 para. 40\(3\)](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

^{F51}14

Textual Amendments

F51 [Sch. 3 para. 14](#) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31, 84(6), [Sch. 6 para. 40\(1\)](#), [Sch. 19 Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

SCHEDULE 4

Section 57(7).

SPECIAL PROVISIONS AS TO LAND USE IN 1948

- 1 Where on 1st July 1948 land was being temporarily used for a purpose other than the purpose for which it was normally used, planning permission is not required for the resumption of the use of the land for the latter purpose before 6th December 1968.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- 2 Where on 1st July 1948 land was normally used for one purpose and was also used on occasions, whether at regular intervals or not, for another purpose, planning permission is not required in respect of the use of the land for that other purpose on similar occasions on or after 6th December 1968 if the land has been used for that other purpose on at least one similar occasion since 1st July 1948 and before the beginning of 1968.
- 3 Where land was unoccupied on 1st July 1948, but had before that date been occupied at some time on or after 7th January 1937, planning permission is not required in respect of any use of the land begun before 6th December 1968 for the purpose for which the land was last used before 1st July 1948.
- 4 Notwithstanding anything in paragraphs 1 to 3, the use of land as a caravan site shall not, by virtue of any of those paragraphs, be treated as a use for which planning permission is not required, unless the land was so used on one occasion at least during the period of two years ending with 9th March 1960.

VALID FROM 06/08/2004

[^{F52}SCHEDULE 4A

LOCAL DEVELOPMENT ORDERS: PROCEDURE

Textual Amendments

F52 Sch. 4A inserted (6.8.2004 for specified purposes, 10.5.2006 for E. so far as not already in force, 30.4.2012 for W. so far as not already in force) by [Planning and Compulsory Purchase Act 2004](#) (c. 5), [Sch. 1](#) (with s. 111); [S.I. 2004/2097](#), art. 2; [S.I. 2006/1061](#), art. 2(c); [S.I. 2012/1100](#), art. 2

SCHEDULE 5

Sections 72(5), 79(4), 97(5) and Schedule 9.

CONDITIONS RELATING TO MINERAL WORKING

PART I

CONDITIONS IMPOSED ON GRANT OF PERMISSION

Duration of development

- 1 (1) Every planning permission for development [^{F53}—
(a) consisting of the winning and working of minerals; or
(b) involving the depositing of mineral waste,]
shall be subject to a condition as to the duration of the development.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- (2) Except where a condition is specified under sub-paragraph (3), the condition in the case of planning permission granted or deemed to be granted after 22nd February 1982 is that the [^{F54}winning and working of minerals or the depositing of mineral waste] must cease not later than the expiration of the period of 60 years beginning with the date of the permission.
- (3) An authority granting planning permission after that date or directing after that date that planning permission shall be deemed to be granted may specify a longer or shorter period than 60 years, and if they do so, the condition is that the [^{F54}winning and working of minerals or the depositing of mineral waste] must cease not later than the expiration of a period of the specified length beginning with the date of the permission.(4)A longer or shorter period than 60 years may be prescribed for the purposes of sub-paragraphs (2) and (3).
- (5) The condition in the case of planning permission granted or deemed to have been granted before 22nd February 1982 is that the [^{F54}winning and working of minerals or the depositing of mineral waste] must cease not later than the expiration of the period of 60 years beginning with that date.
- (6) A condition to which planning permission for development [^{F55}consisting of the winning and working of minerals] is subject by virtue of this paragraph—
 - (a) is not to be regarded for the purposes of the planning Acts as a condition such as is mentioned in section 72(1)(b); but
 - (b) is to be regarded for the purposes of sections 78 and 79 as a condition imposed by a decision of the local planning authority, and may accordingly be the subject of an appeal under section 78.

Textual Amendments

- F53** Words in Sch. 5 para. 1(1) substituted (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 21, Sch. 1 para. 14(1) (with s. 84(5)); S.I. 1991/2067, art.3 (subject to art. 4)
- F54** Words in Sch. 5 para. 1(2)(3)(5) substituted (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 21, Sch. 1 para. 14(2)(with s. 84(5)); S.I. 1991/2067, art.3 (subject to art. 4)
- F55** Words in Sch. 5 para. 1(6) repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 14(3), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2067, art.3 (subject to art. 4)

Power to impose aftercare conditions

- 2 (1) Where—
 - (a) planning permission for development consisting of the winning and working of minerals [^{F56}or involving the depositing of refuse or waste materials] is granted, and
 - (b) the permission is subject to a condition requiring that after [^{F57}the winning and working is completed or the depositing has ceased], the site shall be restored by the use of any or all of the following, namely, subsoil, topsoil and soil-making material,it may be granted subject also to any such condition as the mineral planning authority think fit requiring that such steps shall be taken as may be necessary to bring land to the required standard for whichever of the following uses is specified in the condition, namely—

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- (i) use for agriculture;
 - (ii) use for forestry; or
 - (iii) use for amenity.
- (2) In this Act—
- (a) a condition such as is mentioned in paragraph (b) of sub-paragraph (1) is referred to as “a restoration condition”; and
 - (b) a condition requiring such steps to be taken as are mentioned in that sub-paragraph is referred to as “an aftercare condition”.
- (3) An aftercare condition may either—
- (a) specify the steps to be taken; or
 - (b) require that the steps be taken in accordance with a scheme (in this Act referred to as an “aftercare scheme”) approved by the mineral planning authority.
- (4) A mineral planning authority may approve an aftercare scheme in the form in which it is submitted to them or may modify it and approve it as modified.
- (5) The steps that may be specified in an aftercare condition or an aftercare scheme may consist of planting, cultivating, fertilising, watering, draining or otherwise treating the land.
- (6) Where a step is specified in a condition or a scheme, the period during which it is to be taken may also be specified, but no step may be required to be taken after the expiry of the aftercare period.
- (7) In sub-paragraph (6) “the aftercare period” means a period of five years from compliance with the restoration condition or such other maximum period after compliance with that condition as may be prescribed; and in respect of any part of a site, the aftercare period shall commence on compliance with the restoration condition in respect of that part.
- (8) The power to prescribe maximum periods conferred by sub-paragraph (7) includes power to prescribe maximum periods differing according to the use specified.
- (9) In this paragraph “forestry” means the growing of a utilisable crop of timber.

Textual Amendments

- F56** Words in Sch. 5 para. 2(1)(a) inserted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 14\(4\)\(a\)](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)
- F57** Words in Sch. 5 para. 2(1)(b) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 14\(4\)\(b\)](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to art. 4)

Meaning of “required standard”

- 3 (1) In a case where—
- (a) the use specified in an aftercare condition is a use for agriculture; and
 - (b) the land was in use for agriculture at the time of the grant of the planning permission or had previously been used for that purpose and had not at the time of the grant been used for any authorised purpose since its use for agriculture ceased; and

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- (c) the Minister has notified the mineral planning authority of the physical characteristics of the land when it was last used for agriculture, the land is brought to the required standard when its physical characteristics are restored, so far as it is practicable to do so, to what they were when it was last used for agriculture.
- (2) In any other case where the use specified in an aftercare condition is a use for agriculture, the land is brought to the required standard when it is reasonably fit for that use.
- (3) Where the use specified in an aftercare condition is a use for forestry, the land is brought to the required standard when it is reasonably fit for that use.
- (4) Where the use specified in an aftercare condition is a use for amenity, the land is brought to the required standard when it is suitable for sustaining trees, shrubs or other plants.
- (5) In this paragraph—
“authorised” means authorised by planning permission;
“forestry” has the same meaning as in paragraph 2; and
“the Minister” means—
(a) in relation to England, the Minister of Agriculture, Fisheries and Food; and
(b) in relation to Wales, the Secretary of State.

Consultations

- 4 (1) Before imposing an aftercare condition, the mineral planning authority shall consult—
(a) the Minister, where they propose that the use specified in the condition shall be a use for agriculture; and
(b) the Forestry Commission, where they propose that the use so specified shall be a use for forestry,
as to whether it is appropriate to specify that use.
- (2) Where after consultations required by sub-paragraph (1) the mineral planning authority are satisfied that the use that they ought to specify is a use for agriculture or for forestry, they shall consult—
(a) where it is for agriculture, the Minister; and
(b) where it is for forestry, the Forestry Commission,
with regard to whether the steps to be taken should be specified in the aftercare condition or in an aftercare scheme.
- (3) The mineral planning authority shall also consult the Minister or, as the case may be, the Forestry Commission—
(a) as to the steps to be specified in an aftercare condition which specifies a use for agriculture or for forestry; and
(b) before approving an aftercare scheme submitted in accordance with an aftercare condition which specifies such a use.

Status: Point in time view as at 08/11/1995.

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- (4) The mineral planning authority shall also, from time to time as they consider expedient, consult the Minister or the Commission, as the case may be, as to whether the steps specified in an aftercare condition or an aftercare scheme are being taken.
- (5) In this paragraph “forestry” and “the Minister” have the same meanings as in paragraph 3.

Certificate of compliance

- 5 If, on the application of any person with an interest in land in respect of which an aftercare condition has been imposed, the mineral planning authority are satisfied that the condition has been complied with they shall issue a certificate to that effect.

Recovery of expenses of compliance

- 6 A person who has complied with an aftercare condition but who has not himself [^{F58}won and worked minerals or deposited refuse or waste materials] shall be entitled, subject to any condition to the contrary contained in a contract which is enforceable against him by the person who last carried out such operations, to recover from that person any expenses reasonably incurred in complying with the aftercare condition.

Textual Amendments

F58 Words in [Sch. 5 para. 6](#) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 14\(5\)](#)(with s. 84(5)); [S.I. 1991/2067](#), [art.3](#) (subject to [art. 4](#))

PART II

CONDITIONS IMPOSED ON REVOCATION OR MODIFICATION OF PERMISSION

- 7 An order under section 97 may in relation to planning permission for development consisting of the winning and working of minerals [^{F59}or involving the depositing of refuse or waste materials], include such aftercare condition as the mineral planning authority think fit if—
- (a) it also includes a restoration condition; or
 - (b) a restoration condition has previously been imposed in relation to the land by virtue of any provision of this Act.

Textual Amendments

F59 Words in [Sch. 5 para. 7](#) inserted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 14\(6\)](#)(with s. 84(5)); [S.I. 1991/2067](#), [art.3](#) (subject to [art. 4](#))

- 8 Paragraphs 2(3) to (9) and 3 to 6 shall apply in relation to an aftercare condition so imposed as they apply in relation to such a condition imposed under paragraph 2.

Status: Point in time view as at 08/11/1995.

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[^{F60}Interpretation

Textual Amendments

F60 Sch. 5 para. 9 and cross heading inserted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 14\(7\)](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

^{F61}9 In this Schedule any reference to a mineral planning authority shall be construed, in relation to the exercise of functions with respect to the depositing of refuse or waste materials (other than mineral waste), as a reference to the authority entitled to discharge such functions.]

Textual Amendments

F61 Sch. 5 para. 9 and cross heading inserted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 14\(7\)](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

SCHEDULE 6

Sections 79,175,195,208.

DETERMINATION OF CERTAIN APPEALS BY PERSON APPOINTED BY SECRETARY OF STATE

Modifications etc. (not altering text)

C3 Sch. 6 excluded (27.5.1997) by [1997 c. 8, ss. 70\(4\), 278\(2\)](#), [Sch. 7 para. 7](#) (with s. 64)

Determination of appeals by appointed person

- 1 (1) The Secretary of State may by regulations prescribe classes of appeals under sections 78 [^{F62}106B], 174, 195 and 208, which are to be determined by a person appointed by the Secretary of State for the purpose instead of by the Secretary of State.
- (2) Those classes of appeals shall be so determined except in such classes of case—
 - (a) as may for the time being be prescribed, or
 - (b) as may be specified in directions given by the Secretary of State.
- (3) Regulations made for the purpose of this paragraph may provide for the giving of publicity to any directions given by the Secretary of State under this paragraph.
- (4) This paragraph shall not affect any provision in this Act or any instrument made under it that an appeal shall lie to, or a notice of appeal shall be served on, the Secretary of State.
- (5) A person appointed under this paragraph is referred to in this Schedule as “an appointed person”.

Status: Point in time view as at 08/11/1995.

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Textual Amendments

F62 Words in [Sch. 6 para. 1\(1\)](#) inserted (9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 54\(2\)](#); S.I. 1992/2831, [art. 2](#)

Powers and duties of appointed person

- 2 (1) An appointed person shall have the same powers and duties—
- (a) in relation to an appeal under section 78, as the Secretary of State has under ^{F63}subsections (1), (4) and (6A)] of section 79;
 - ^{F64}(aa) in relation to an appeal under section 106B, as he has under that section]
 - (b) in relation to an appeal under section 174, as he has under sections 176(1), (2) ^{F65}to (2A)]and (5) and 177(1) to (4);
 - (c) in relation to an appeal under section 195, as he has under subsections (2) and (3) of that section ^{F66}. . . ;
 - (d) in relation to an appeal under section 208, as he has under subsections (7) ^{F67}to (8A)] of that section.
- (2) Sections 79(2) ^{F68}106B(4)], 175(3), 196(1) and 208(5) shall not apply to an appeal which falls to be determined by an appointed person, but before it is determined the Secretary of State shall ask the appellant and the local planning authority whether they wish to appear before and be heard by the appointed person.
- (3) If both the parties express a wish not to appear and be heard the appeal may be determined without their being heard.
- (4) If either of the parties expresses a wish to appear and be heard, the appointed person shall give them both an opportunity of doing so.
- (5) Sub-paragraph (2) does not apply in the case of an appeal under section 78 if the appeal is referred to a Planning Inquiry Commission under section 101.
- (6) Where an appeal has been determined by an appointed person, his decision shall be treated as that of the Secretary of State.
- (7) Except as provided by Part XII, the validity of that decision shall not be questioned in any proceedings whatsoever.
- (8) It shall not be a ground of application to the High Court under section 288, or of appeal to the High Court under section 289 ^{F69}. . . , that an appeal ought to have been determined by the Secretary of State and not by an appointed person, unless the appellant or the local planning authority challenge the appointed person's power to determine the appeal before his decision on the appeal is given.
- (9) Where in any enactment (including this Act) there is a reference to the Secretary of State in a context relating or capable of relating to an appeal to which this Schedule applies or to anything done or authorised or required to be done by, to or before the Secretary of State on or in connection with any such appeal, then so far as the context permits it shall be construed, in relation to an appeal determined or falling to be determined by an appointed person, as a reference to him.

Status: Point in time view as at 08/11/1995.

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Textual Amendments

- F63** Words in Sch. 6 para. 2(1)(a) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 54\(3\)\(a\)](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to art. 4)
- F64** Sch. 6 para. 2(1)(aa) inserted (9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 54\(3\)\(b\)](#); S.I. 1992/2831, [art. 2](#)
- F65** Words in Sch. 6 para. 2(1)(b) inserted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 54\(3\)\(c\)](#) (with s. 84(5)); S.I. 1991/2905, art. 3, [Sch. 1](#) (subject to art. 5)
- F66** Words in Sch. 6 para. 2(1)(c) repealed (27.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 32, 84(6), [Sch. 7 para. 54\(3\)\(d\)](#), [Sch. 19 Pt. I](#); S.I. 1992/1630, art. 2, Schs. 1, 2 (with art. 3(1))
- F67** Words in Sch. 6 para. 2(1)(d) substituted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 54\(3\)\(e\)](#) (with s. 84(5)); S.I. 1991/2905, art. 3, [Sch. 1](#) (subject to art. 5)
- F68** Words in Sch. 6 para. 2(2) inserted (9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 54\(3\)\(f\)](#); S.I. 1992/2831, [art. 2](#)
- F69** Words in Sch. 6 para. 2(8) repealed (27.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 32, 84(6), [Sch. 7 para. 54\(3\)\(g\)](#), [Sch. 19 Pt. I](#); S.I. 1992/1630, art. 2, Schs. 1, 2 (with art. 3(1))

Determination of appeals by Secretary of State

- 3 (1) The Secretary of State may, if he thinks fit, direct that an appeal which would otherwise fall to be determined by an appointed person shall instead be determined by the Secretary of State.
- (2) Such a direction shall state the reasons for which it is given and shall be served on the person, if any, so appointed, the appellant, the local planning authority and any person who has made representations relating to the subject matter of the appeal which the authority are required to take into account under ^{F70}any provision of a development order made by virtue of] section 71(2)(a).
- (3) Where in consequence of such a direction an appeal falls to be determined by the Secretary of State, the provisions of this Act which are relevant to the appeal shall, subject to the following provisions of this paragraph, apply to the appeal as if this Schedule had never applied to it.
- (4) The Secretary of State shall give the appellant, the local planning authority and any person who has made any such representations as mentioned in sub-paragraph (2) an opportunity of appearing before and being heard by a person appointed by the Secretary of State for that purpose if—
- (a) the reasons for the direction raise matters with respect to which any of those persons have not made representations; or
 - (b) in the case of the appellant or the local planning authority, either of them was not asked in pursuance of paragraph 2(2) whether they wished to appear before and be heard by the appointed person, or expressed no wish in answer to that question, or expressed a wish to appear and be heard, but was not given an opportunity of doing so.
- (5) Sub-paragraph (4) does not apply in the case of an appeal under section 78 if the appeal is referred to a Planning Inquiry Commission under section 101.
- (6) Except as provided by sub-paragraph (4), the Secretary of State need not give any person an opportunity of appearing before and being heard by a person appointed

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for the purpose, or of making fresh representations or making or withdrawing any representations already made.

- (7) In determining the appeal the Secretary of State may take into account any report made to him by any person previously appointed to determine it.

Textual Amendments

F70 Words in [Sch. 6 para. 3\(2\)](#) inserted (17.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 54\(4\)](#); S.I. 1992/1491, art. 2, [Sch. 1](#)

- 4 (1) The Secretary of State may by a further direction revoke a direction under paragraph 3 at any time before the determination of the appeal.
- (2) Such a further direction shall state the reasons for which it is given and shall be served on the person, if any, previously appointed to determine the appeal, the appellant, the local planning authority and any person who has made representations relating to the subject matter of the appeal which the authority are required to take into account under [^{F71}any provision of a development order made by virtue of] section 71(2)(a).
- (3) Where such a further direction has been given, the provisions of this Schedule relevant to the appeal shall apply, subject to sub-paragraph (4), as if no direction under paragraph 3 had been given.
- (4) Anything done by or on behalf of the Secretary of State in connection with the appeal which might have been done by the appointed person (including any arrangements made for the holding of a hearing or local inquiry) shall, unless that person directs otherwise, be treated as having been done by him.

Textual Amendments

F71 Words in [Sch. 6 para. 4\(2\)](#) inserted (17.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 54\(4\)](#); S.I. 1992/1491, art. 2, [Sch. 1](#)

Appointment of another person to determine appeal

- 5 (1) At any time before the appointed person has determined the appeal the Secretary of State may—
- (a) revoke his appointment; and
 - (b) appoint another person under paragraph 1 to determine the appeal instead.
- (2) Where such a new appointment is made the consideration of the appeal or any inquiry or other hearing in connection with it shall be begun afresh.
- (3) Nothing in sub-paragraph (2) shall require—
- (a) the question referred to in paragraph 2(2) to be asked again with reference to the new appointed person if before his appointment it was asked with reference to the previous appointed person (any answers being treated as given with reference to the new appointed person); or
 - (b) any person to be given an opportunity of making fresh representations or modifying or withdrawing any representations already made.

Status: Point in time view as at 08/11/1995.

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Local inquiries and hearings

- 6 (1) Whether or not the parties to an appeal have asked for an opportunity to appear and be heard, an appointed person—
- (a) may hold a local inquiry in connection with the appeal; and
 - (b) shall do so if the Secretary of State so directs.
- (2) Where an appointed person—
- (a) holds a hearing by virtue of paragraph 2(4); or
 - (b) holds an inquiry by virtue of this paragraph,
- an assessor may be appointed by the Secretary of State to sit with the appointed person at the hearing or inquiry to advise him on any matters arising, notwithstanding that the appointed person is to determine the appeal.
- (3) Subject to sub-paragraph (4), the costs of any such hearing or inquiry shall be defrayed by the Secretary of State.
- (4) Subsections (2) to (5) of section 250 of the ^{M19}Local Government Act 1972 (local inquiries: evidence and costs) apply to an inquiry held under this paragraph with the following adaptations—
- (a) with the substitution in subsection (4) (recovery of costs of holding the inquiry) for the references to the Minister causing the inquiry to be held of references to the Secretary of State; and
 - (b) with the substitution in subsection (5) (orders as to the costs of the parties) for the reference to the Minister causing the inquiry to be held of a reference to the appointed person or the Secretary of State.
- [^{F72}(5) The appointed person or the Secretary of State has the same power to make orders under section 250(5) of that Act (orders with respect to costs of the parties) in relation to proceedings under this Schedule which do not give rise to an inquiry as he has in relation to such an inquiry].

Textual Amendments

F72 Sch. 6 para. 6(5) omitted (temp.) by virtue of [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 6, [Sch. 4 paras. 1, 7](#) (which temp. omission falls (2.1.1992 and 6.4.2009) for specified purposes only by virtue of [S.I. 1991/2698](#), [art. 3](#) and [S.I. 2009/849](#), [art. 2](#) (with [art. 3](#)))

Marginal Citations

M19 1972 c. 70.

Supplementary provisions

- 7 If before or during the determination of an appeal under section 78 which is to be or is being determined in accordance with paragraph 1, the Secretary of State forms the opinion mentioned in section 79(6), he may direct that the determination shall not be begun or proceeded with.
- 8 (1) The ^{M20}Tribunals and Inquiries Act [^{F73}1992] shall apply to a local inquiry or other hearing held in pursuance of this Schedule as it applies to a statutory inquiry held by

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the Secretary of State, but as if in [^{F74}section 10(1)] of that Act (statement of reasons for decisions) the reference to any decision taken by the Secretary of State were a reference to a decision taken by an appointed person.

- (2) Where an appointed person is an officer of the Department of the Environment or the Welsh Office the functions of determining an appeal and doing anything in connection with it conferred on him by this Schedule shall be treated for the purposes of the ^{M21}Parliamentary Commissioner Act 1967—
- (a) if he was appointed by the Secretary of State for the time being having general responsibility in planning matters in relation to England, as functions of that Department; and
 - (b) if he was appointed by the Secretary of State for the time being having general responsibility in planning matters in relation to Wales, as functions of the Welsh Office.

Textual Amendments

- F73** Word in Sch. 6 para. 8(1) substituted (1.10.1992) by [Tribunals and Inquiries Act 1992 \(c. 53\)](#), ss. 18(1), 19(2), [Sch. 3 para. 28\(a\)](#)
- F74** Words in Sch. 6 para. 8(1) substituted (1.10.1992) by [Tribunals and Inquiries Act 1992 \(c. 53\)](#), ss. 18(1), 19(2), [Sch. 3 para. 28\(b\)](#)

Marginal Citations

- M20** 1992 c. 53.
- M21** 1967 c. 13.

SCHEDULE 7

Section 83.

SIMPLIFIED PLANNING ZONES

General

- 1 (1) A simplified planning zone scheme shall consist of a map and a written statement, and such diagrams, illustrations and descriptive matter as the local planning authority think appropriate for explaining or illustrating the provisions of the scheme.
- (2) A simplified planning zone scheme shall specify—
- (a) the development or classes of development permitted by the scheme,
 - (b) the land in relation to which permission is granted, and
 - (c) any conditions, limitations or exceptions subject to which it is granted;
- and shall contain such other matters as may be prescribed.

Notification of proposals to make or alter scheme

- 2 An authority who decide under section 83(2) to make or alter a simplified planning zone scheme shall—
- (a) notify the Secretary of State of their decision as soon as practicable, and
 - (b) determine the date on which they will begin to prepare the scheme or the alterations.

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Power of Secretary of State to direct making or alteration of scheme

- 3 (1) If a person requests a local planning authority to make or alter a simplified planning zone scheme but the authority—
- (a) refuse to do so, or
 - (b) do not within the period of three months from the date of the request decide to do so,
- he may, subject to sub-paragraph (2), require them to refer the matter to the Secretary of State.
- (2) A person may not require the reference of the matter to the Secretary of State if—
- (a) in the case of a request to make a scheme, a simplified planning zone scheme relating to the whole or part of the land specified in the request has been adopted or approved within the 12 months preceding his request;
 - (b) in the case of a request to alter the scheme, the scheme to which the request relates was adopted or approved, or any alteration to it has been adopted or approved, within that period.
- (3) The Secretary of State shall, as soon as practicable after a matter is referred to him—
- (a) send the authority a copy of any representations made to him by the applicant which have not been made to the authority, and
 - (b) notify the authority that if they wish to make any representations in the matter they should do so, in writing, within 28 days.
- (4) After the Secretary of State has—
- (a) considered the matter and any written representations made by the applicant or the authority, and
 - (b) carried out such consultations with such persons as he thinks fit,
- he may give the authority a simplified planning zone direction.
- (5) The Secretary of State shall notify the applicant and the authority of his decision and of his reasons for it.
- 4 (1) A simplified planning zone direction is—
- (a) if the request was for the making of a scheme, a direction to make a scheme which the Secretary of State considers appropriate; and
 - (b) if the request was for the alteration of a scheme, a direction to alter it in such manner as he considers appropriate ^{F75}and, in either case, requires the local planning authority to take all the steps required by this Schedule for the adoption of proposals for the making or, as the case may be, alteration of a scheme.]
- (2) A direction under sub-paragraph (1)(a) or (b) may extend—
- (a) to the land specified in the request to the authority,
 - (b) to any part of the land so specified, or
 - (c) to land which includes the whole or part of the land so specified;
- and accordingly may direct that land shall be added to or excluded from an existing simplified planning zone.

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Textual Amendments

F75 Words in [Sch. 7 para. 4\(1\)](#) inserted (25.11.1991 for certain purposes and otherwise 9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 28, [Sch. 5 Pt. II para.5](#); S.I. 1991/2728, [art.2](#); S.I. 1992/2413, [art. 2](#) (with art. 3)

^{F76} Steps to be taken before depositing proposals

Textual Amendments

F76 [Sch. 7 paras. 5-6](#) and cross headings substituted for paras. 5-7 (25.11.1991 for certain purposes and otherwise 9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 28, [Sch. 5 Pt. I para.1](#) (with s. 84(5)); S.I. 1991/2728, [art.2](#); S.I. 1992/2413, [art. 2](#) (with art. 3)

- ^{F75} (1) A local planning authority proposing to make or alter a simplified planning zone scheme shall, before determining the content of their proposals, comply with this paragraph.
- (2) They shall—
- (a) consult the Secretary of State having responsibility for highways as to the effect any proposals they may make might have on existing or future highways,
 - (b) if they are the district planning authority, consult the county council—
 - (i) as county planning authority, and
 - (ii) as to the effect which any matters the district planning authority are considering including in the proposals might have on existing or future highways, and
 - (c) consult or notify such persons as regulations may require them to consult or, as the case may be, notify.
- (3) They shall take such steps as may be prescribed or as the Secretary of State may, in a particular case, direct to publicise—
- (a) the fact that they propose to make or alter a simplified planning zone scheme, and
 - (b) the matters which they are considering including in the proposals.
- (4) They shall consider any representations that are made in accordance with regulations.]

Textual Amendments

F77 [Sch. 7 paras. 5-6](#) and cross headings substituted for paras. 5-7 (25.11.1991 for certain purposes and otherwise 9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 28, [Sch. 5 Pt. I para.1](#) (with s. 84(5)); S.I. 1991/2728, [art.2](#); S.I. 1992/2413, [art. 2](#) (with art. 3)

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[^{F78} Procedure after deposit of proposals

Textual Amendments

F78 Sch. 7 paras. 5-6 and cross headings substituted for paras. 5-7 (25.11.1991 for certain purposes and otherwise 9.11.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 28, Sch. 5 Pt. I para.1 (with s. 84(5)); S.I. 1991/2728, art.2; S.I. 1992/2413, art. 2 (with art. 3)

- ^{F79}6 Where a local planning authority have prepared a proposed simplified planning zone scheme, or proposed alterations to a simplified planning zone scheme, they shall—
- (a) make copies of the proposed scheme or alterations available for inspection at such places as may be prescribed,
 - (b) take such steps as may be prescribed for the purpose of advertising the fact that the proposed scheme or alterations are so available and the places at which, and times during which, they may be inspected,
 - (c) take such steps as may be prescribed for inviting objections to be made within such period as may be prescribed, and
 - (d) send a copy of the proposed scheme or alterations to the Secretary of State and to the Secretary of State having responsibility for highways and, if they are the district planning authority, to the county council.]

Textual Amendments

F79 Sch. 7 paras. 5-6 and cross headings substituted (25.11.1991 for certain purposes and otherwise 9.11.1992) for paras. 5-7 by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 28, Sch. 5 Pt. I para.1 (with s. 84(5)); S.I. 1991/2728, art.2; S.I. 1992/2413, art. 2 (with art. 3)

Powers of Secretary of State to secure adequate publicity and consultations

[^{F80} Procedure for dealing with objections]

Textual Amendments

F80 Sch. 7 para. 8(1)(2) and cross heading substituted (25.11.1991 for certain purposes and otherwise 9.11.1992) for para. 8(1)-(3) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 28, Sch. 5 Pt. I para. 2(1) (with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1992/2413, art. 2 (with art. 3)

- ^{F81}8 (1) Where objections to the proposed scheme or alterations are made, the local planning authority may—
- (a) for the purpose of considering the objections, cause a local inquiry or other hearing to be held by a person appointed by the Secretary of State or, in such cases as may be prescribed, appointed by the authority, or
 - (b) require the objections to be considered by a person appointed by the Secretary of State.

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- (2) A local planning authority shall exercise the power under sub-paragraph (1), or paragraph (a) or (b) of that sub-paragraph, if directed to do so by the Secretary of State.
- (4) Regulations may—
- (a) make provision with respect to the appointment, and qualifications for appointment, of persons [^{F82}for the purposes of this paragraph];
 - (b) include provision enabling the Secretary of State to direct a local planning authority to appoint a particular person, or one of a specified list or class of persons;
 - (c) make provision with respect to the remuneration and allowances of the person appointed.
- (5) Subsections (2) and (3) of section 250 of the ^{M22}Local Government Act 1972 (power to summon and examine witnesses) apply to an inquiry held under this paragraph.
- (6) The ^{M23}Tribunals and Inquiries Act [^{F83}1992] applies to a local inquiry or other hearing held under this paragraph as it applies to a statutory inquiry held by the Secretary of State, with the substitution in [^{F84}section 10(1)] (statement of reasons for decision) for the references to a decision taken by the Secretary of State of references to a decision taken by a local authority.

Textual Amendments

- F81** Sch. 7 para. 8(1)(2) and cross heading substituted (25.11.1991 for certain purposes and otherwise 9.11.1992) for para. 8(1)-(3) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 28, [Sch. 5 Pt. I para. 2\(1\)](#) (with s. 84(5)); S.I. 1991/2728, [art.2](#); S.I. 1992/2413, [art. 2](#) (with art. 3)
- F82** Words in Sch. 7 para. 8(4) substituted (25.11.1991 for certain purposes and otherwise 9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 28, [Sch. 5 Pt. II para. 6](#) (with s. 84(5)); S.I. 1991/2728, [art. 2](#); S.I. 1992/2413, [art. 2](#) (with art. 3)
- F83** Word in Sch. 7 para. 8(6) substituted (1.10.1992) by [Tribunals and Inquiries Act 1992 \(c. 53\)](#), ss. 18(1), 19(2), [Sch. 3 para. 29\(a\)](#)
- F84** Words in Sch. 7 para. 8(6) substituted (1.10.1992) by [Tribunals and Inquiries Act 1992 \(c. 53\)](#), ss. 18(1), 19(2), [Sch. 3 para. 29\(b\)](#)

Marginal Citations

- M22** 1972 c. 70.
M23 1992 c. 53.

Adoption of proposals by local planning authority

- 9 [^{F85}(1) After the expiry of the period for making objections or, if objections have been made in accordance with the regulations, after considering those objections and the views of any person holding an inquiry or hearing or considering the objections under paragraph 8, the local planning authority may by resolution adopt the proposals (subject to the following provisions of this paragraph and paragraph 10).]
- (2) The authority may adopt the proposals as originally prepared or as modified so as to take account of—
- (a) any such objections as are mentioned in sub-paragraph (1) or any other objections to the proposals, or

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- (b) any other considerations which appear to the authority to be material.
- (3) If, before the proposals have been adopted by the local planning authority, it appears to the Secretary of State that they are unsatisfactory, he may direct the authority to [^{F86}modify] the proposals in such respects as are indicated in the direction.
- (4) An authority to whom such a direction is given shall not adopt the proposals unless—
 - (a) they satisfy the Secretary of State that they have made the modifications necessary to conform with the direction, or
 - (b) the direction is withdrawn.

Textual Amendments

- F85** Sch. 7 para. 9(1) substituted (25.11.1991 for certain purposes and otherwise 9.11.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 28, Sch. 5 Pt. II para. 7(1) (with s. 84(5)); S.I. 1991/2728, art.2; S.I. 1992/2413, art. 2 (with art. 3)
- F86** Word in Sch. 7 para. 9(3) substituted (25.11.1991 for certain purposes and otherwise 9.11.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 28, Sch. 5 Pt. II para. 7(2) (with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1992/2413, art. 2 (with art. 3)

Calling in of proposals for approval by Secretary of State

- 10 (1) Before the proposals have been adopted by the local planning authority the Secretary of State may direct that they shall be submitted to him for his approval.
- (2) If the Secretary of State gives such a direction—
 - (a) the authority shall not take any further steps for the adoption of the proposals, and in particular shall not hold or proceed with a local inquiry or other hearing [^{F87}or any consideration of objections] in respect of the proposals under paragraph 8; and
 - (b) the proposals shall not have effect unless approved by the Secretary of State and shall not require adoption by the authority.

Textual Amendments

- F87** Words in Sch. 7 para. 10(2) inserted (25.11.1991 for certain purposes and otherwise 9.11.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 28, Sch. 5 Pt. II para.8 (with s. 84(5)); S.I. 1991/2728, art.2; S.I. 1992/2413, art. 2 (with art. 3)

Approval of proposals by Secretary of State

- 11 (1) The Secretary of State may after considering proposals submitted to him under paragraph 10 either approve them, in whole or in part and with or without modifications, or reject them.
- (2) In considering the proposals the Secretary of State may take into account any matters he thinks are relevant, whether or not they were taken into account in the proposals as submitted to him.
- [^{F88}(3) Where on taking the proposals into consideration the Secretary of State does not determine then to reject them he shall, before determining whether or not to

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approve them, consider any objections made in accordance with regulations (and not withdrawn) except objections which—

- (a) have already been considered by the local planning authority or by a person appointed by the Secretary of State, or
- (b) have already been considered at a local inquiry or other hearing.

(4) The Secretary of State may—

- (a) for the purpose of considering any objections and the views of the local planning authority and of such other persons as he thinks fit, cause a local inquiry or other hearing to be held by a person appointed by him, or
- (b) require such objections and views to be considered by a person appointed by him.

(5) In considering the proposals the Secretary of State may consult with, or consider the views of, any local planning authority or any other person; but he need not do so, or give an opportunity for the making or consideration of representations or objections, except so far as he is required to do so by sub-paragraph (3).]

Textual Amendments

F88 Sch. 7 para. 11(3)-(5) substituted for para. 11(3)(4) (25.11.1991 for certain purposes and otherwise 9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 28, [Sch. 5 para. 2\(2\)](#)(with s. 84(5)); [S.I. 1991/2728, art.2](#); [S.I. 1992/2413, art. 2](#) (with [art. 3](#))

Default powers

[^{F89}12 (1) Where —

- (a) a local planning authority are directed under paragraph 3 to make a simplified planning zone scheme which the Secretary of State considers appropriate or to alter such a scheme in such manner as he considers appropriate, and
- (b) the Secretary of State is satisfied, after holding a local inquiry or other hearing, that the authority are not taking within a reasonable period the steps required by this Schedule for the adoption of proposals for the making or, as the case may be, alteration of a scheme,

he may himself make a scheme or, as the case may be, the alterations.]

(2) Where under this paragraph anything which ought to have been done by a local planning authority is done by the Secretary of State, the previous provisions of this Schedule apply, so far as practicable, with any necessary modifications, in relation to the doing of that thing by the Secretary of State and the thing so done.

(3) Where the Secretary of State incurs expenses under this paragraph in connection with the doing of anything which should have been done by a local planning authority, so much of those expenses as may be certified by the Secretary of State to have been incurred in the performance of functions of that authority shall on demand be repaid by the authority to the Secretary of State.

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Textual Amendments

F89 Sch. 7 para. 12(1) substituted (25.11.1991 for certain purposes and otherwise 9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 28, [Sch. 5 Pt. II para. 9](#) (with s. 84(5)); S.I. 1991/2728, [art.2](#); S.I. 1992/2413, [art. 2](#) (with [art. 3](#))

Regulations and directions

- 13 (1) Without prejudice to the previous provisions of this Schedule, the Secretary of State may make regulations with respect—
- (a) to the form and content of simplified planning zone schemes, and
 - (b) to the procedure to be followed in connection with their preparation, withdrawal, adoption, submission, approval, making or alteration.
- (2) Any such regulations may in particular—
- (a) provide for the notice to be given of, or the publicity to be given to—
 - (i) matters included or proposed to be included in a simplified planning zone scheme, and
 - (ii) the adoption or approval of such a scheme, or of any alteration of it, or any other prescribed procedural step,and for publicity to be given to the procedure to be followed in these respects;
 - (b) make provision with respect to the making and consideration of representations as to matters to be included in, or objections to, any such scheme or proposals for its alteration;
 - [^{F90}(bb) make provision with respect to the circumstances in which representations with respect to the matters to be included in such a scheme or proposals for its alteration are to be treated, for the purposes of this Schedule, as being objections made in accordance with regulations;]
 - (c) without prejudice to paragraph (a), provide for notice to be given to particular persons of the adoption or approval of a simplified planning zone scheme, or an alteration to such a scheme, if they have objected to the proposals and have notified the local planning authority of their wish to receive notice, subject (if the regulations so provide) to the payment of a reasonable charge;
 - (d) require or authorise a local planning authority to consult with, or consider the views of, other persons before taking any prescribed procedural step;
 - (e) require a local planning authority, in such cases as may be prescribed or in such particular cases as the Secretary of State may direct, to provide persons making a request with copies of any document which has been made public^{F91} . . . , subject (if the regulations so provide) to the payment of a reasonable charge;
 - (f) provide for the publication and inspection of a simplified planning zone scheme which has been adopted or approved, or any document adopted or approved altering such a scheme, and for copies of any such scheme or document to be made available on sale.
- (3) Regulations under this paragraph may extend throughout England and Wales or to specified areas only and may make different provision for different cases.

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- (4) Subject to the previous provisions of this Schedule and to any regulations under this paragraph, the Secretary of State may give directions to any local planning authority or to local planning authorities generally—
- (a) for formulating the procedure for the carrying out of their functions under this Schedule;
 - (b) for requiring them to give him such information as he may require for carrying out any of his functions under this Schedule.

Textual Amendments

- F90** Sch. 7 para. 13(2)(bb) inserted (25.11.1991 for certain purposes and otherwise 9.11.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 28, Sch. 5 Pt. II para. 10(a)(with s. 84(5)); S.I. 1991/2728, art.2; S.I. 1992/2413, art. 2 (with art. 3)
- F91** Words in Sch. 7 para. 13(2)(e) repealed (25.11.1991 for certain purposes and otherwise 9.11.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 28, 84(6), Sch. 5 Pt. II para. 10(b), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1992/2413, art. 2 (with art. 3); S.I. 1992/2831, art. 2, Sch.

SCHEDULE 8

Section 101(4).

PLANNING INQUIRY COMMISSIONS

PART I

CONSTITUTION AND PROCEDURE ON REFERENCES

Constitution of Commissions

- 1 (1) A Planning Inquiry Commission shall consist of a chairman and not less than two nor more than four other members appointed by the Secretary of State.
- (2) The Secretary of State may—
 - (a) pay to the members of any such commission such remuneration and allowances as he may with the consent of the Treasury determine, and
 - (b) provide for each such commission such officers or servants, and such accommodation, as appears to him expedient to provide for the purpose of assisting the commission in the discharge of their functions.
- (3) The validity of any proceedings of any such commission shall not be affected by any vacancy among the members of the commission or by any defect in the appointment of any member.
- (4) In relation to any matter affecting both England and Wales—
 - (a) the functions of the Secretary of State under sub-paragraph (1) shall be exercised by the Secretaries of State for the time being having general responsibility in planning matters in relation to England and in relation to Wales acting jointly, and

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- (b) his functions under sub-paragraph (2) shall be exercised by one of those Secretaries of State authorised by the other to act on behalf of both of them for the purposes of that sub-paragraph.

Reference to a Planning Inquiry Commission

- 2 (1) Two or more of the matters mentioned in section 101(2) may be referred to the same commission if it appears to the responsible Minister or Ministers that they relate to proposals to carry out development for similar purposes on different sites.
- (2) Where a matter referred to a commission under section 101 relates to a proposal to carry out development for any purpose at a particular site, the responsible Minister or Ministers may also refer to the commission the question whether development for that purpose should instead be carried out at an alternative site.
- (3) On referring a matter to a commission, the responsible Minister or Ministers—
 - (a) shall state in the reference the reasons for the reference, and
 - (b) may draw the attention of the commission to any points which seem to him or them to be relevant to their inquiry.

Functions of Planning Inquiry Commission on reference

- 3 (1) A commission inquiring into a matter referred to them under section 101 shall—
 - (a) identify and investigate the considerations relevant to, or the technical or scientific aspects of, that matter which in their opinion are relevant to the question whether the proposed development should be permitted to be carried out, and
 - (b) assess the importance to be attached to those considerations or aspects.
- (2) If—
 - (a) in the case of a matter mentioned in section 101(2)(a), (b) or (c), the applicant, or
 - (b) in any case, the local planning authority,so wish, the commission shall give to each of them, and, in the case of an application or appeal mentioned in section 101(2)(a) or (b), also to any person who has made representations relating to the subject matter of the application or appeal which the authority are required to take into account under [F92any provision of a development order made by virtue of section 71(2)(a)], an opportunity of appearing before and being heard by one or more members of the commission.
- (3) The commission shall then report to the responsible Minister or Ministers on the matter referred to them.
- (4) A commission may, with the approval of the Secretary of State and at his expense, arrange for the carrying out (whether by the commission themselves or by others) of research of any kind appearing to them to be relevant to a matter referred to them for inquiry and report.
- (5) In sub-paragraph (4) “the Secretary of State,” in relation to any matter affecting both England and Wales, means—
 - (a) the Secretary of State for the time being having general responsibility in planning matters in relation to England, or

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- (b) the Secretary of State for the time being having responsibility in relation to Wales,
acting, by arrangements between the two of them, on behalf of both.

Textual Amendments

F92 Words in [Sch. 8 para. 3\(2\)](#) substituted (17.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para.55](#) (with s. 84(5)); S.I. 1992/1491, art. 2, [Sch. 1](#)

Procedure on reference to a Planning Inquiry Commission

- 4 (1) A reference to a Planning Inquiry Commission of a proposal that development should be carried out by or on behalf of a government department may be made at any time.
- (2) A reference of any other matter mentioned in section 101 may be made at any time before, but not after, the determination of the relevant application referred under section 77 or the relevant appeal under section 78 or, as the case may be, the giving of the relevant direction under section 90(1).
- (3) The fact that an inquiry or other hearing has been held into a proposal by a person appointed by any Minister for the purpose shall not prevent a reference of the proposal to a Planning Inquiry Commission.
- (4) Notice of the making of a reference to any such commission shall be published in the prescribed manner.
- (5) A copy of the notice must be served on the local planning authority for the area in which it is proposed that the relevant development will be carried out, and—
- (a) in the case of an application for planning permission referred under section 77 or an appeal under section 78, on the applicant and any person who has made representations relating to the subject matter of the application or appeal which the authority are required to take into account under [^{F93}any provision of a development order made by virtue of section 71(2)(a)];
- (b) in the case of a proposal that a direction should be given under section 90(1) with respect to any development, on the local authority or statutory undertakers applying for authorisation to carry out that development.
- (6) Subject to the provisions of this paragraph and paragraph 5 and to any directions given to them by the responsible Minister or Ministers, a Planning Inquiry Commission shall have power to regulate their own procedure.

Textual Amendments

F93 Words in [Sch. 8 para. 4\(5\)\(a\)](#) substituted (17.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para.55](#) (with s. 84(5)); S.I. 1992/1491, art. 2, [Sch. 1](#)

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Local inquiries held by Planning Inquiry Commission

- 5 (1) A Planning Inquiry Commission shall, for the purpose of complying with paragraph 3(2), hold a local inquiry; and they may hold such an inquiry, if they think it necessary for the proper discharge of their functions, notwithstanding that neither the applicant nor the local planning authority want an opportunity to appear and be heard.
- (2) Where a Planning Inquiry Commission are to hold a local inquiry under sub-paragraph (1) in connection with a matter referred to them, and it appears to the responsible Minister or Ministers, in the case of some other matter falling to be determined by a Minister of the Crown and required or authorised by an enactment other than this paragraph to be the subject of a local inquiry, that the two matters are so far cognate that they should be considered together, he or, as the case may be, they may direct that the two inquiries be held concurrently or combined as one inquiry.
- (3) An inquiry held by a commission under this paragraph shall be treated for the purposes of the Tribunals and Inquiries Act [^{F94}1992] as one held by a Minister in pursuance of a duty imposed by a statutory provision.
- (4) Subsections (2) to (5) of section 250 of the ^{M24}Local Government Act 1972 (local inquiries: evidence and costs) shall apply in relation to an inquiry held under sub-paragraph (1) as they apply in relation to an inquiry caused to be held by a Minister under subsection (1) of that section, with the substitution for references to the Minister causing the inquiry to be held (other than the first reference in subsection (4)) of references to the responsible Minister or Ministers.

Textual Amendments

F94 Word in Sch. 8 para. 5(3) substituted (1.10.1992) by [Tribunals and Inquiries Act 1992 \(c. 53\), ss. 18\(1\), 19\(2\), Sch. 3 para. 30](#)

Marginal Citations

M24 1972 c. 70.

PART II

MEANING OF “THE RESPONSIBLE MINISTER OR MINISTERS”

- 6 In relation to the matters specified in the first column of the Table below (which are matters mentioned in subsection (2)(a), (b), (c) or (d) of section 101 as matters which may be referred to a Planning Inquiry Commission under that section) “the responsible Minister or Ministers” for the purposes of that section and this Schedule—
- (a) in the case of a matter affecting England only, are those specified opposite in the second column of the Table;
 - (b) in the case of a matter affecting Wales only, are those specified opposite in the third column of the Table; and
 - (c) in the case of a matter affecting both England and Wales, are those specified opposite in the fourth column of the Table.

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- 7 Where an entry in the second, third or fourth columns of the Table specifies two or more Ministers, that entry shall be construed as referring to those Ministers acting jointly.

TABLE

| Referred matter | Affecting England only | Affecting Wales only | Affecting both England and Wales |
|--|--|--|---|
| 1. Application for planning permission or appeal under section 78 relating to land to which section 266(1) applies. | The Secretary of State for the time being having general responsibility in planning matters in relation to England and the appropriate Minister (if different). | The Secretary of State for the time being having general responsibility in planning matters in relation to Wales and the appropriate Minister (if different). | The Secretaries of State for the time being having general responsibility in planning matters in relation to England and in relation to Wales and the appropriate Minister (if different). |
| 2. Application for planning permission or appeal under section 78 relating to land to which section 266(1) does not apply. | The Secretary of State for the time being having general responsibility in planning matters in relation to England. | The Secretary of State for the time being having general responsibility in planning matters in relation to Wales. | The Secretaries of State for the time being having general responsibility in planning matters in relation to England and in relation to Wales. |
| 3. Proposal that a government department should give a direction under section 90(1) or that development should be carried out by or on behalf of a government department. | The Secretary of State for the time being having general responsibility in planning matters in relation to England and the Minister (if different) in charge of the government department concerned. | The Secretary of State for the time being having general responsibility in planning matters in relation to Wales and the Minister (if different) in charge of the government department concerned. | The Secretaries of State for the time being having general responsibility in planning matters in relation to England and in relation to Wales and the Minister (if different) in charge of the government department concerned. |

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SCHEDULE 9

Section 102(8).

REQUIREMENTS RELATING TO DISCONTINUANCE OF MINERAL WORKING

Modifications etc. (not altering text)

- C4** Sch. 9 modified (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), **ss. 22(6)(b)(7)** (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)
- C5** Sch. 9 modified (W.) (8.1.2010) by [The Town and Country Planning \(Environmental Impact Assessment\) \(Undetermined Reviews of Old Mineral Permissions\) \(Wales\) Regulations 2009 \(S.I. 2009/3342\)](#), **reg. 51**

Orders requiring discontinuance of mineral working

- 1 (1) If, having regard to the development plan and to any other material considerations, it appears to a mineral planning authority that it is expedient in the interests of the proper planning of their area (including the interests of amenity)—
- [^{F95}(a) that any use of land for—
- (i) development consisting of the winning and working of minerals; or
 - (ii) the depositing of refuse or waste materials,
- should be discontinued or that any conditions should be imposed on the continuance of the winning and working or the depositing;]
- (b) that any buildings or works on land so used should be altered or removed; or
- [^{F96}(c) that any plant or machinery used for the winning and working or the depositing should be altered or removed,]
- the mineral planning authority may by order require the discontinuance of that use, or impose such conditions as may be specified in the order on the continuance of it or, as the case may be, require such steps as may be so specified to be taken for the alteration or removal of the buildings or works or plant or machinery.
- [^{F97}(2) An order under this paragraph may grant planning permission for any development of the land to which the order relates, subject to such conditions as may be—
- (a) required by paragraph 1 of Schedule 5; or
 - (b) specified in the order.
- (3) Subsections (3) to (5) and (7) of section 102 and section 103 apply to orders under this paragraph as they apply to orders under section 102, but as if—
- (a) references to the local planning authority were references to the mineral planning authority; and
 - (b) the reference in section 103(2)(a) to subsection (2) of section 102 were a reference to sub-paragraph (2).]

Textual Amendments

- F95** Sch. 9 para. 1(1)(a) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, **Sch. 1 para. 15(1)**(with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)
- F96** Sch. 9 para. 1(1)(c) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, **Sch. 1 para. 15(2)**(with s. 84(5)); S.I. 1991/2067, **art. 3** (subject to art. 4)
- F97** Sch. 9 para. 1(2)(3) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, **Sch. 1 para. 15(3)** (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

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- 2 [F98(1) An order under paragraph 1 may impose a restoration condition]
- (2) If such an order—
- (a) includes a restoration condition, or
 - (b) a restoration condition has previously been imposed in relation to the land by virtue of any provision of this Act,
- the order may also include any such aftercare condition as the mineral planning authority think fit.
- (3) Paragraphs 2(3) to (9) and 3 to 6 of Schedule 5 shall apply in relation to an aftercare condition imposed under this paragraph as they apply in relation to such a condition imposed under paragraph 2 of that Schedule, but with the substitution for subparagraphs (1) and (2) of paragraph 3 of that Schedule of subparagraphs (4) and (5) below.
- (4) In a case where—
- (a) the use specified in the aftercare condition is a use for agriculture;
 - (b) the land was in use for agriculture immediately [F99]before the development began], or had previously been used for agriculture and had not been used for any authorised purpose since its use for agriculture ceased; and
 - (c) the Minister has notified the mineral planning authority of the physical characteristics of the land when it was last used for agriculture,
- the land is brought to the required standard when its physical characteristics are restored, so far as it is practicable to do so, to what they were when it was last used for agriculture.
- (5) In any other case where the use specified in the aftercare condition is a use for agriculture, the land is brought to the required standard when it is reasonably fit for that use.

Textual Amendments

F98 Sch. 9 para. 2(1) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 15\(4\)](#)(with s. 84(5)); S.I. 1991/2067, [art.3](#)

F99 Words in Sch. 9 para. 2(4)(b) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 15\(5\)](#)(with s. 84(5)); S.I. 1991/2067, [art.3](#)

Prohibition of resumption of mineral working

- 3 [F100(1) Where it appears to the mineral planning authority—
- (a) that development of land—
 - (i) consisting of the winning and working of minerals; or
 - (ii) involving the depositing of mineral waste,
 has occurred; but
 - (b) the winning and working or depositing has permanently ceased,
- the mineral planning authority may by order—
- (i) prohibit the resumption of the winning and working or the depositing; and
 - (ii) impose, in relation to the site, any such requirement as is specified in subparagraph (3).

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- (2) The mineral planning authority may assume that the winning and working or the depositing has permanently ceased only when—
- (a) no winning and working or depositing has occurred, to any substantial extent, at the site for a period of at least two years; and
 - (b) it appears to the mineral planning authority, on the evidence available to them at the time when they make the order, that resumption of the winning and working or the depositing to any substantial extent at the site is unlikely.
- (3) The requirements mentioned in sub-paragraph (1) are—
- (a) a requirement to alter or remove plant or machinery which was used for the purpose of the winning and working or the depositing or for any purpose ancillary to that purpose;
 - (b) a requirement to take such steps as may be specified in the order, within such period as may be so specified, for the purpose of removing or alleviating any injury to amenity which has been caused by the winning and working or depositing, other than injury due to subsidence caused by underground mining operations;
 - (c) a requirement that any condition subject to which planning permission for the development was granted or which has been imposed by virtue of any provision of this Act shall be complied with; and
 - (d) a restoration condition.]
- (4) If—
- (a) an order under this paragraph includes a restoration condition; or
 - (b) a restoration condition has previously been imposed in relation to the site by virtue of any provision of this Act,
- the order under this paragraph may include any such aftercare condition as the mineral planning authority think fit.
- (5) Paragraphs 2(3) to (9) and 3 to 6 of Schedule 5 apply in relation to an aftercare condition imposed under this paragraph as they apply to such a condition imposed under paragraph 2 of this Schedule.

Textual Amendments

F100 Sch. 9 para. 3(1)-(3) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), [ss. 21, 84\(2\)-\(4\)\(5\)](#), Sch. 1 para. 15(6)(with s. 84(5)); [S.I. 1991/2067](#), [art. 3](#) (subject to [art. 4](#))

Modifications etc. (not altering text)

C6 Sch. 9 para. 3 modified (22.7.2008) by [The Town and Country Planning \(Environmental Impact Assessment\) \(Mineral Permissions and Amendment\) \(England\) Regulations 2008 \(S.I. 2008/1556\)](#), [reg. 4\(3\)-\(5\)](#)

- 4 (1) An order under paragraph 3 shall not take effect unless it is confirmed by the Secretary of State, either without modification or subject to such modifications as he considers expedient.
- (2) Where a mineral planning authority submit such an order to the Secretary of State for his confirmation under this paragraph, the authority shall serve notice of the order—
- (a) on any person who is an owner or occupier of any of the land to which the order relates, and

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- (b) on any other person who in their opinion will be affected by it.
- (3) The notice shall specify the period within which any person on whom the notice is served may require the Secretary of State to give him an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for that purpose.
- (4) If within that period such a person so requires, before the Secretary of State confirms the order he shall give such an opportunity both to him and to the mineral planning authority.
- (5) The period referred to in sub-paragraph (3) must not be less than 28 days from the service of the notice.
- (6) Where an order under paragraph 3 has been confirmed by the Secretary of State, the mineral planning authority shall serve a copy of the order on every person who was entitled to be served with notice under sub-paragraph (2).
- (7) When an order under paragraph 3 takes effect any planning permission for the development to which the order relates shall cease to have effect.
- (8) Sub-paragraph (7) is without prejudice to the power of the mineral planning authority, on revoking the order, to make a further grant of planning permission for development consisting of the winning and working of minerals [^{F101}or involving the depositing of mineral waste].

Textual Amendments

F101 Words in Sch. 9 para. 4(8) inserted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 15\(7\)](#)(with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to [art. 4](#))

Modifications etc. (not altering text)

C7 Sch. 9 para. 4(7) modified (22.7.2008) by [The Town and Country Planning \(Environmental Impact Assessment\) \(Mineral Permissions and Amendment\) \(England\) Regulations 2008 \(S.I. 2008/1556\)](#), [reg. 4\(6\)](#)

Orders after suspension of winning and working of minerals

- 5 [^{F102}(1) Where it appears to the mineral planning authority—
- (a) that development of land—
- (i) consisting of the winning and working of minerals; or
- (ii) involving the depositing of mineral waste,
- has occurred; but
- (b) the winning and working or depositing has been temporarily suspended,
- the mineral planning authority may by order require that steps be taken for the protection of the environment.]
- (2) An order under sub-paragraph (1) is in this Act referred to as a “suspension order”.
- [^{F103}(3) The mineral planning authority may assume that the winning and working or the depositing has been temporarily suspended only when—
- (a) no such winning and working or depositing has occurred, to any substantial extent, at the site for a period of at least twelve months; but

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- (b) it appears to the mineral planning authority, on the evidence available to them at the time when they make the order, that a resumption of such winning and working or depositing to a substantial extent is likely.
- (4) In this Act “steps for the protection of the environment” means steps for the purpose—
- (a) of preserving the amenities of the area in which the land in, on or under which the development was carried out is situated during the period while the winning and working or the depositing is suspended;
 - (b) of protecting that area from damage during that period; or
 - (c) of preventing any deterioration in the condition of the land during that period.]
- (5) A suspension order shall specify a period, commencing with the date on which it is to take effect, within which any required step for the protection of the environment is to be taken and may specify different periods for the taking of different steps.

Textual Amendments

F102 Sch. 9 para. 5(1) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 15\(8\)](#)(with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F103 Sch. 9 para. 5(3)(4) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 15\(9\)](#)(with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

Supplementary suspension orders

- 6 (1) At any time when a suspension order is in operation the mineral planning authority may by order direct—
- (a) that steps for the protection of the environment shall be taken in addition to or in substitution for any of the steps which the suspension order or a previous order under this sub-paragraph specified as required to be taken; or
 - (b) that the suspension order or any order under this sub-paragraph shall cease to have effect.
- (2) An order under sub-paragraph (1) is in this Act referred to as a “supplementary suspension order”.

Confirmation and coming into operation of suspension orders

- 7 (1) Subject to sub-paragraph (2), a suspension order or a supplementary suspension order shall not take effect unless it is confirmed by the Secretary of State, either without modification or subject to such modifications as he considers expedient.
- (2) A supplementary suspension order revoking a suspension order or a previous supplementary suspension order and not requiring that any fresh step shall be taken for the protection of the environment shall take effect without confirmation.
- (3) Sub-paragraphs (2) to (5) of paragraph 4 shall have effect in relation to a suspension order or supplementary suspension order submitted to the Secretary of State for his confirmation as they have effect in relation to an order submitted to him for his confirmation under that paragraph.

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- (4) Where a suspension order or supplementary suspension order has been confirmed by the Secretary of State, the mineral planning authority shall serve a copy of the order on every person who was entitled to be served with notice of the order by virtue of sub-paragraph (3).

Registration of suspension orders as local land charges

- 8 A suspension order or a supplementary suspension order shall be a local land charge.

Review of suspension orders

- 9 (1) It shall be the duty of a mineral planning authority—
- (a) to undertake in accordance with the following provisions of this paragraph reviews of suspension orders and supplementary suspension orders which are in operation in their area; and
 - (b) to determine whether they should make in relation to any land to which a suspension order or supplementary suspension order applies—
 - (i) an order under paragraph 3; or
 - (ii) a supplementary suspension order.
- (2) The first review of a suspension order shall be undertaken not more than five years from the date on which the order takes effect.
- (3) Each subsequent review shall be undertaken not more than five years after the previous review.
- (4) If a supplementary suspension order is in operation for any part of the area for which a suspension order is in operation, they shall be reviewed together.
- (5) If a mineral planning authority have made a supplementary suspension order which requires the taking of steps for the protection of the environment in substitution for all the steps required to be taken by a previous suspension order or supplementary suspension order, the authority shall undertake reviews of the supplementary suspension order in accordance with sub-paragraphs (6) and (7).
- (6) The first review shall be undertaken not more than five years from the date on which the order takes effect.
- (7) Each subsequent review shall be undertaken not more than five years after the previous review.
- (8) The duties to undertake reviews imposed by this paragraph are in addition to and not in substitution for the duties imposed by section 105.

Resumption of mineral working after suspension order

- 10 (1) Subject to sub-paragraph (2), nothing in a suspension order or a supplementary suspension order shall prevent the recommencement of development consisting of the winning and working of minerals [^{F104}or involving the depositing of mineral waste at the site] in relation to which the order has effect.
- (2) No person shall recommence such development without first giving the mineral planning authority notice of his intention to do so.

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- (3) A notice under sub-paragraph (2) shall specify the date on which the person giving the notice intends to recommence [^{F105}the development].
- [^{F106}(4) The mineral planning authority shall revoke the order if the winning and working of minerals or the depositing of mineral waste has recommenced to a substantial extent at the site in relation to which the order has effect.]
- (5) If the authority do not revoke the order before the end of the period of two months from the date specified in the notice under sub-paragraph (2), the person who gave that notice may apply to the Secretary of State for the revocation of the order.
- (6) Notice of an application under sub-paragraph (5) shall be given by the applicant to the mineral planning authority.
- (7) If he is required to do so by the person who gave the notice or by the mineral planning authority, the Secretary of State shall, before deciding whether to revoke the order, give him and the mineral planning authority an opportunity of appearing before, and being heard by, a person appointed by the Secretary of State for the purpose.
- [^{F107}(8) If the Secretary of State is satisfied that the winning and working of minerals or the depositing of mineral waste has recommenced to a substantial extent at the site in relation to which the order has effect, he shall revoke the order.]
- (9) If the Secretary of State revokes an order by virtue of sub-paragraph (8), he shall give notice of its revocation—
 - (a) to the person who applied to him for the revocation, and
 - (b) to the mineral planning authority.

Textual Amendments

- F104** Words in Sch. 9 para. 10(1) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 15\(10\)](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)
- F105** Words in Sch. 9 para. 10(3) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 15](#) (11) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)
- F106** Sch. 9 para. 10(4) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 15\(12\)](#)(with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)
- F107** Sch. 9 para. 10(8) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 21, [Sch. 1 para. 15\(13\)](#)(with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

Default powers of Secretary of State

- 11 (1) If it appears to the Secretary of State to be expedient that any order under paragraph 1, 3, 5 or 6 should be made, he may himself make such an order.
- (2) Such an order which is made by the Secretary of State shall have the same effect as if it had been made by the mineral planning authority and confirmed by the Secretary of State.
- (3) The Secretary of State shall not make such an order without consulting the mineral planning authority.
- (4) Where the Secretary of State proposes to make an order under paragraph 1 he shall serve a notice of the proposal on the mineral planning authority.

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- (5) The notice shall specify the period (which must not be less than 28 days from the date of its service) within which the authority may require an opportunity of appearing before and being heard by a person appointed by the Secretary of State for the purpose.
- (6) If within that period the authority so require, before the Secretary of State makes the order he shall give the authority such an opportunity.
- (7) The provisions of this Schedule and of any regulations made under this Act with respect to the procedure to be followed in connection with the submission by the mineral planning authority of any order to which sub-paragraph (1) applies, its confirmation by the Secretary of State and the service of copies of it as confirmed shall have effect, subject to any necessary modifications, in relation to any proposal by the Secretary of State to make such an order, its making by him and the service of copies of it.

Modifications etc. (not altering text)

C8 Sch. 9 para. 11 : power to apply conferred (10.11.1993) by 1993 c. 28, s. 171(4)(a); S.I. 1993/2762, art. 3

^{F108} Interpretation

Textual Amendments

F108 Sch. 9 para. 12 and cross heading inserted (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 21, Sch. 1 para. 15(14) (with s. 84(5)); S.I. 1991/2067, art.3 (subject to art. 4)

- ^{F109}12 In this Schedule any reference to a mineral planning authority shall be construed, in relation to the exercise of functions with respect to the depositing of refuse or waste materials (other than mineral waste), as a reference to the authority entitled to discharge such functions.]

Textual Amendments

F109 Sch. 9 para. 12 and cross heading inserted (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 21, Sch. 1 para. 15(14) (with s. 84(5)); S.I. 1991/2067, art. 3 (subject to art. 4)

SCHEDULE 10

Sections 111 and 114.

CONDITION TREATED AS APPLICABLE TO REBUILDING AND ALTERATIONS

- 1 Where the building to be rebuilt or altered is the original building, the amount of gross floor space in the building as rebuilt or altered which may be used for any purpose shall not exceed by more than ten per cent. the amount of gross floor space which was last used for that purpose in the original building.
- 2 Where the building to be rebuilt or altered is not the original building, the amount of gross floor space in the building as rebuilt or altered which may be used for any

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- purpose shall not exceed the amount of gross floor space which was last used for that purpose in the building before the rebuilding or alteration.
- 3 In determining under this Schedule the purpose for which floor space was last used in any building, no account shall be taken of any use in respect of which an effective enforcement notice has been or could be served or, in the case of a use which has been discontinued, could have been served immediately before the discontinuance.
- 4 (1) For the purposes of this Schedule gross floor space shall be ascertained by external measurement.
- (2) Where different parts of a building are used for different purposes, floor space common to those purposes shall be apportioned rateably.
- 5 In relation to a building erected after 1st July 1948 which is a building resulting from the carrying out of any such works as are described in paragraph 1 of Schedule 3, any reference in this Schedule to the original building is a reference to the building in relation to which those works were carried out and not to the building resulting from the carrying out of those works.

F110 SCHEDULE 11

Textual Amendments

F110 Sch. 11 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt.I**(with s. 84(5); S.I. 1991/2067, art. 3, **Sch. 1** (subject to art. 4)

F111 . . .

Textual Amendments

F111 Sch. 11 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt.I**(with s. 84(5); S.I. 1991/2067, art.3, **Sch. 1** (subject to art. 4)

F112₁

Textual Amendments

F112 Sch. 11 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt.I**(with s. 84(5); S.I. 1991/2067, art.3, **Sch. 1** (subject to art. 4)

F113 . . .

Textual Amendments

F113 Sch. 11 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt.I** (with s. 84(5); S.I. 1991/2067, art. 3, **Sch. 1** (subject to art. 4)

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F114₂

Textual Amendments
F114 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2067, art.3, Sch. 1 (subject to art. 4)

F115₃

Textual Amendments
F115 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2067, art. 3, Sch. 1 (subject to art. 4)

F116 . . .

Textual Amendments
F116 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2067, art.3, Sch. 1 (subject to art. 4)

F117₄

Textual Amendments
F117 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2067, art.3, Sch. 1 (subject to art. 4)

F118₅

Textual Amendments
F118 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), Sch. 19 Pt. I (with s. 84(5)); S.I. 1991/2067, art.3, Sch. 1 (subject to art. 4)

F119₆

Textual Amendments
F119 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2067, art.3, Sch. 1 (subject to art. 4)

F120₇

Textual Amendments
F120 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), Sch. 19 Pt.I (with s. 84(5)); S.I. 1991/2067, art.3, Sch. 1 (subject to art. 4)

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F121⁸

Textual Amendments

F121 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt. I**(with s. 84(5)); S.I. 1991/2067, art.3, **Sch. 1** (subject to art. 4)

F122⁹

Textual Amendments

F122 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1991/2067, art.3, **Sch. 1** (subject to art. 4)

F123

Textual Amendments

F123 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt.I**(with s. 84(5)); S.I. 1991/2067, art.3, **Sch. 1** (subject to art. 4)

F124¹⁰

Textual Amendments

F124 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt.I**(with s. 84(5)); S.I. 1991/2067, art.3, **Sch. 1** (subject to art. 4)

F125

Textual Amendments

F125 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt.I**(with s. 84(5)); S.I. 1991/2067, art. 3, **Sch. 1** (subject to art. 4)

F126¹¹

Textual Amendments

F126 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt. I** (with s. 84(5)); S.I. 1991/2067, art.3, **Sch. 1** (subject to art. 4)

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F127 . . .

Textual Amendments

F127 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1991/2067, art.3, **Sch. 1** (subject to art. 4)

F128¹²

Textual Amendments

F128 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt. I**; S.I. 1991/2067, art. 3, **Sch. 1** (subject to art. 4)

F129 . . .

Textual Amendments

F129 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), **Sch. 1 para. 16(1),(2)** Sch. 19 Pt.I(with s. 84(5)); S.I. 1991/2067, art. 3, **Sch.1** (subject to art. 4)

F130¹³

Textual Amendments

F130 Sch. 11 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 21, 84(6), Sch. 1 para. 16(1)(2), **Sch. 19 Pt. I** (with s. 84(5)); S.I. 1991/2067, art.3, **Sch. 1** (subject to art. 4)

F131 SCHEDULE 12

Textual Amendments

F131 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19, Pt.II** (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F132 . . .

Textual Amendments

F132 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19, Pt. II** (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F133¹

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Textual Amendments

F133 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F134 . . .

Textual Amendments

F134 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt. II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F135₂

Textual Amendments

F135 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt. II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F136 . . .

Textual Amendments

F136 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3**(subject to art. 4)

F137₃

Textual Amendments

F137 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F138 . . .

Textual Amendments

F138 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F139₄

Textual Amendments

F139 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

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F140 . . .

Textual Amendments

F140 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#)(subject to art. 4)

F141⁵

Textual Amendments

F141 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19 Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F142⁶

Textual Amendments

F142 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt. II](#)(with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F143 . . .

Textual Amendments

F143 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F144⁷

Textual Amendments

F144 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F145 . . .

Textual Amendments

F145 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F146⁸

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Textual Amendments

F146 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F147 . . .

Textual Amendments

F147 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt. II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F1489

Textual Amendments

F148 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F149 . . .

Textual Amendments

F149 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F15010

Textual Amendments

F150 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt. II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F151 . . .

Textual Amendments

F151 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F15211

Textual Amendments

F152 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19 Pt.II** (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

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F153 . . .

Textual Amendments

F153 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F154¹²

Textual Amendments

F154 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19 Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F155 . . .

Textual Amendments

F155 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F156¹³

Textual Amendments

F156 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19 Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to art. 4)

F157 . . .

Textual Amendments

F157 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F158¹⁴

Textual Amendments

F158 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

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F159 . . .

Textual Amendments

F159 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art. 3** (subject to art. 4)

F160¹⁵

Textual Amendments

F160 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F161 . . .

Textual Amendments

F161 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt. II (with s. 84(5)); S.I. 1991/2067, **art. 3** (subject to art. 4)

F162¹⁶

Textual Amendments

F162 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F163 . . .

Textual Amendments

F163 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt.II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

F164¹⁷

Textual Amendments

F164 Sch. 12 repealed (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 31(1), 84(6), **Sch. 19**, Pt. II (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

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F165 . . .

Textual Amendments

F165 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F166¹⁸

Textual Amendments

F166 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F167 . . .

Textual Amendments

F167 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19 Pt. II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F168¹⁹

Textual Amendments

F168 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19 Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to art. 4)

F169 . . .

Textual Amendments

F169 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

F170²⁰

Textual Amendments

F170 Sch. 12 repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(1), 84(6), [Sch. 19, Pt.II](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to art. 4)

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

SCHEDULE 13

Section 149.

BLIGHTED LAND

Land allocated for public authority functions in development plans etc.

- 1 Land indicated in a structure plan in force for the district in which it is situated either—
- (a) as land which may be required for the purposes—
 - (i) of the functions of a government department, local authority or statutory undertakers,^{F171} . . ., or
 - (ii) of the establishment or running by a public telecommunications operator of a telecommunication system, or
 - (b) as land which may be included in an action area.

Notes

- (1) In this paragraph the reference to a structure plan in force includes a reference to—
 - [^{F172}(a) proposals for the alteration or replacement of a structure plan which have been made available for inspection under section 33(2);
 - (b) any proposed modifications to those proposals which have been published in accordance with regulations under section 53.]
- (2) Note (1) shall cease to apply when the copies of the proposals made available for inspection have been withdrawn under section [^{F173}34].
- (3) Note (1) shall also cease to apply when—
 - (a) the relevant proposals become operative (whether in their original form or with modifications), or
 - (b) the Secretary of State decides to reject the proposals and notice of the decision has been given by advertisement.
- (4) In Note (1) references to anything done under any provision include reference to anything done under that provision as it applies by virtue of section 51.
- (5) This paragraph does not apply to land situated in a district for which a local plan is [^{F174}in operation], where that plan—
 - (a) allocates any land in the district for the purposes of such functions as are mentioned in this paragraph; or
 - (b) defines any land in the district as the site of proposed development for the purposes of any such functions.
- [^{F175}(5A) In Note (5) the reference to a local plan in operation includes a reference to a minerals local plan, a waste local plan, which in either case is in operation, and to a local plan continued in operation by virtue of paragraph 44 of Schedule 4 to the ^{M25}Planning and Compensation Act 1991.]
- (6) This paragraph does not apply to land within paragraph 5 or 6.
- (7) In the application of this paragraph to Greater London the reference to a structure plan shall be construed as a reference to the Greater London Development Plan [^{F176}and Notes (1) to (4) shall be omitted].

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

- F171** Words in **Sch. 13 para. 1(a)(i)** repealed (31.10.1994) by 1994 c. 21, s. 67, **Sch. 9 para. 39(4)**, **Sch. 11 Pt. II** (with s. 40(7), **Sch. 10 para. 12**); S.I. 1994/2552, **art. 2**
- F172** **Sch. 13 para. 1** Note (1) paras. (a)(b) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991** (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt. II para. 37(1)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**
- F173** Word in **Sch. 13 para. 1** Note (2) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991** (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt II para. 37(2)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**
- F174** Words in **Sch. 13 para. 1** Note (5) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991** (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt II para. 37(3)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**
- F175** **Sch. 13 para. 1** Note (5A) inserted (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991** (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt. II para. 37(4)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**
- F176** Words in **Sch. 13 para. 1** Note (7) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by **Planning and Compensation Act 1991** (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt II para. 37(5)**(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art. 4**

Marginal Citations

- M25** 1991 c. 34.

VALID FROM 28/09/2004

[^{F177}1A Land which is identified for the purposes of relevant public functions by a development plan document for the area in which the land is situated.

Notes

- (1) Relevant public functions are—
- (a) the functions of a government department, local authority, National Park authority or statutory undertakers;
 - (b) the establishment or running by a public telecommunications operator of a telecommunication system.
- (2) For the purposes of this paragraph a development plan document is—
- (a) a development plan document which is adopted or approved for the purposes of Part 2 of the Planning and Compulsory Purchase Act 2004 (in this paragraph, the 2004 Act);
 - (b) a revision of such a document in pursuance of section 26 of the 2004 Act which is adopted or approved for the purposes of Part 2 of the 2004 Act;
 - (c) a development plan document which has been submitted to the Secretary of State for independent examination under section 20(1) of the 2004 Act;
 - (d) a revision of a development plan document in pursuance of section 26 of the 2004 Act if the document has been submitted to the Secretary of State for independent examination under section 20(1) of that Act.
- (3) But Note (2)(c) and (d) does not apply if the document is withdrawn under section 22 of the 2004 Act at any time after it has been submitted for independent examination.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- (4) In Note (2)(c) and (d) the submission of a development plan document to the Secretary of State for independent examination is to be taken to include the holding of an independent examination by the Secretary of State under section 21 or section 27 of the 2004 Act.]

Textual Amendments

F177 Sch. 13 para. 1A inserted (28.9.2004 for E. and 15.10.2005 for W.) by [Planning and Compulsory Purchase Act 2004 \(c. 5\)](#), ss. 118, 120, 121, [Sch. 6 para. 18\(3\)](#) (with s. 111); S.I. 2004/2202, [art. 2](#) (subject to transitional provisions and savings in [art. 4](#)); S.I. 2005/2847, [art. 2](#) (with transitional provisions and savings in [art. 3](#))

VALID FROM 05/10/2005

[^{F178}1B Land in Wales which is identified for the purposes of relevant public functions by a local development plan for the area in which the land is situated.

Notes

- (1) Relevant public functions are—
- (a) the functions of the National Assembly for Wales, a government department, local authority, National Park authority or statutory undertakers;
 - (b) the establishment or running by a public telecommunications operator of a telecommunications system.
- (2) For the purposes of this paragraph a local development plan is—
- (a) a local development plan which is adopted or approved for the purposes of Part 6 of the Planning and Compulsory Act 2004 (in this paragraph, the 2004 Act);
 - (b) a revision of a local development plan in pursuance of section 70 of the 2004 Act which is adopted or approved for purposes of Part 6 of the 2004 Act;
 - (c) a local development plan which has been submitted to the National Assembly for independent examination under section 64(1) of the 2004 Act;
 - (d) a revision of a local development plan in pursuance of section 70 of the 2004 Act if the plan has been submitted to the National Assembly for independent examination under section 64(1) of that Act.
- (3) But Note (2)(c) and (d) does not apply if the plan is withdrawn under section 66 of the 2004 Act at any time after it has been submitted for independent examination.
- (4) In Note (2)(c) and (d) the submission of a local development plan to the National Assembly for independent examination is to be taken to include the holding of an independent examination by the National Assembly under section 65 or section 71 of the 2004 Act.]

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F178 Sch. 13 para. 1B inserted (5.10.2005) by [Planning and Compulsory Purchase Act 2004 \(Commencement No. 4 and Consequential, Transitional and Savings Provisions\) \(Wales\) Order 2005 \(S.I. 2005/2722\)](#), [art. 3\(3\)](#) (with [art. 7](#))

- 2 Land which—
- (a) is allocated for the purposes of any such functions as are mentioned in paragraph 1(a)(i) or (ii) by a local plan [^{F179}in operation] for the district, or
 - (b) is land defined in such a plan as the site of proposed development for the purposes of any such functions.

Notes

[^{F180}(1) In this paragraph the reference to a local plan in operation includes a reference to a minerals local plan, a waste local plan, which in either case is in operation, and to a local plan continued in operation by virtue of paragraph 44 of Schedule 4 to the ^{M26}Planning and Compensation Act 1991, and also includes—

- (a) proposals for the making or alteration and replacement of any such plan where copies of the proposals have been made available for inspection under section 40(2) or by virtue of paragraph 43 of Schedule 4 to the ^{M27}Planning and Compensation Act 1991; and
- (b) any proposed modifications to those proposals which have been published in accordance with regulations under section 53.]

(2)

(3) Note (1) shall ^{F181}... cease to apply when—

- (a) the relevant plan or proposals become operative (whether in their original form or with modifications), or
- (b) the Secretary of State decides to reject, or the local planning authority decide to abandon, the plan or proposals and notice of the decision has been given by advertisement.

(4) In Note (1) references to anything done under any provision include references to anything done under that provision as it applies by virtue of section 51.

^{F182}(5)

Textual Amendments

F179 Words in [Sch. 13 para. 2](#) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 27, [Sch. 4 para. 37\(6\)](#)(with s. 84(5)); [S.I. 1991/2728](#), [art. 2](#); [S.I. 1991/2905](#), [art. 4](#)

F180 [Sch. 13 para. 2](#) Note (1) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 27, 84(2)-(4), [Sch. 4 Pt. II para. 37\(7\)](#)(with s. 84(5)); [S.I. 1991/2728](#), [art. 2](#); [S.I. 1991/2905](#), [art. 4](#)

F181 Word in [Sch. 13 para. 2](#) Note (3) repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), [ss. 27, 84\(2\)-\(4\)\(6\)](#), [Sch. 4 para. 37\(9\)](#), [Sch. 19 Pt. I](#)(with s. 84(5)); [S.I. 1991/2728](#), [art. 2](#); [S.I. 1991/2905](#), [art. 4](#), [Sch. 3](#)

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

F182 Sch. 13 para. 2 Notes (2), (5) repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 para. 37(8), **Sch. 19 Pt. I** (with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, art. 4, **Sch.3**

Modifications etc. (not altering text)

C9 Sch. 13 para. 2 applied (with modifications) (1.4.1996) by 1994 c. 19, s. 20(3), **Sch. 5 Pt. III para. 22** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/3198, art. 4, **Sch. 2**

Marginal Citations

M26 1991 c. 34.

M27 1991 c. 34.

- 3 Land indicated in a unitary development plan in force for the district in which it is situated—
- (a) as land which may be required for the purpose of any such functions as are mentioned in paragraph 1(a)(i) or (ii), or
 - (b) as land which may be included in an action area.

Notes

- (1) In this paragraph the reference to a unitary development plan includes references to—
- (a) a unitary development plan of which copies have been made available for inspection under section ^{F183}13(2);
 - (b) proposals for the alteration or replacement of a unitary development plan of which copies have been made available for inspection under that provision as applied by section 21(2) ^{F184}. . . ;
 - (c) modifications proposed to be made by the local planning authority or the Secretary of State to any such plan or proposals as are mentioned in paragraph (a) or (b), being modifications of which notice has been given in accordance with regulations under Chapter I of Part II.
- (2) Note (1) shall cease to apply when the copies of the plan or proposals made available for inspection have been withdrawn under section ^{F185}. . . 14(2) (but section 14(4) shall not invalidate any blight notice served by virtue of Note (1) before the withdrawal of copies of the plan or proposals).
- (3) Note (1) shall also cease to apply when—
- (a) the relevant plan or proposals become operative (whether in their original form or with modifications), or
 - (b) the Secretary of State decides to reject, or the local planning authority decide to withdraw, the plan or proposals and notice of the decision has been given by advertisement.
- (4) In Note (1) references to anything done under any provision include references to anything done under that provision as it applies by virtue of section 25(2).

Textual Amendments

F183 Words in Sch. 13 para. 3 Note (1)(a) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 27, **Sch. 4 Pt. II para. 37(10)** (a)(with s. 84(5)); S.I. 1991/2728, **art. 2**; S.I. 1991/2905, **art.4**

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- F184** Words in Sch. 13 para. 3 Note (1)(b) repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 37(10)(b), Sch. 19 Pt.I(with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1991/2905, art.4, Sch. 3
- F185** Words in Sch. 13 para. 3 Note (2) repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 37(11), Sch. 19 Pt. I(with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1991/2905, art. 4, Sch. 3

- 4 Land which by a unitary development plan is allocated for the purposes, or defined as the site, of proposed development for any such functions as are mentioned in paragraph 1(a)(i) or (ii).

Notes

- (1) In this paragraph the reference to a unitary development plan includes references to—
- a unitary development plan of which copies have been made available for inspection under section ^{F186}13(2):
 - proposals for the alteration or replacement of a unitary development plan of which copies have been made available for inspection under that provision as applied by section 21(2) ^{F187}. . . ;
 - modifications proposed to be made by the local planning authority or the Secretary of State to any such plan or proposals as are mentioned in paragraph (a) or (b), being modifications of which notice has been given in accordance with regulations under Chapter I of Part II.
- (2) Note (1) shall cease to apply when the copies of the plan or proposals made available for inspection have been withdrawn under section ^{F188}. . . 14(2) (but section 14(4) shall not invalidate any blight notice served by virtue of Note (1) before the withdrawal of copies of the plan or proposals).
- (3) Note (1) shall also cease to apply when—
- the relevant plan or proposals become operative (whether in their original form or with modifications), or
 - the Secretary of State decides to reject, or the local planning authority decide to withdraw, the plan or proposals and notice of the decision has been given by advertisement.
- (4) In Note (1) references to anything done under any provision include references to anything done under that provision as it applies by virtue of section 25(2).

Textual Amendments

- F186** Words in Sch. 13 para. 4 Note (1)(a) substituted (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 27, Sch. 4 Pt. II para. 37(12) (a)(with s. 84(5)); S.I. 1991/2728, art. 2 ; S.I. 1991/2905, art.4
- F187** Words in Sch. 13 para. 4 Note (1)(b) repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 37(12)(b), Sch. 19 Pt.I(with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1991/2905, art.4, Sch. 3
- F188** Words in Sch. 13 para. 4 Note (2) repealed (25.11.1991 for certain purposes and otherwise 10.2.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), ss. 27, 84(6), Sch. 4 Pt. II para. 37(13), Sch. 19 Pt.I(with s. 84(5)); S.I. 1991/2728, art. 2; S.I. 1991/2905, art.4, Sch. 3

Status: Point in time view as at 08/11/1995.

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- 5 Land indicated in a plan (other than a development plan) approved by a resolution passed by a local planning authority for the purpose of the exercise of their powers under Part III as land which may be required for the purposes of any [^{F189}such functions as are mentioned in paragraph 1(a)(i) or (ii).]

Textual Amendments

F189 Words in Sch. 13 para. 5 substituted (25.9.1991) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, Sch. 7 para.56 (with s. 84(5)); S.I. 1991/2067, art.3 (subject to art. 4)

- 6 Land in respect of which a local planning authority—
- (a) have resolved to take action to safeguard it for development for the purposes of any such functions as are mentioned in paragraph 5, or
 - (b) have been directed by the Secretary of State to restrict the grant of planning permission in order to safeguard it for such development.

New towns and urban development areas

- 7 Land within an area described as the site of a proposed new town in the draft of an order in respect of which a notice has been published under paragraph 2 of Schedule 1 to the ^{M28}New Towns Act 1981.

Note

Land shall cease to be within this paragraph when—

- (a) the order comes into operation (whether in the form of the draft or with modifications), or
- (b) the Secretary of State decides not to make the order.

Marginal Citations

M28 1981 c. 64

- 8 Land within an area designated as the site of a proposed new town by an order which has come into operation under section 1 of the New Towns Act 1981.
- 9 Land which is—
- (a) within an area intended to be designated as an urban development area by an order which has been made under section 134 of the ^{M29}Local Government, Planning and Land Act 1980 but has not come into effect; or
 - (b) within an area which has been so designated by an order under that section which has come into effect.

Marginal Citations

M29 1980 c. 65.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Clearance and renewal areas

- 10 Land within an area declared to be a clearance area by a resolution under section 289 of the ^{M30}Housing Act 1985.

Marginal Citations

M30 1985 c. 68.

- 11 Land which—
- (a) is surrounded by or adjoining an area declared to be a clearance area by a resolution under section 289 of the ^{M31}Housing Act 1985, and
 - (b) is land which a local authority have determined to purchase under section 290 of that Act.

Marginal Citations

M31 1985 c. 68.

- 12 Land indicated by information published in pursuance of section 92 of the ^{M32}Local Government and Housing Act 1989 as land which a local authority propose to acquire in exercise of their powers under Part VII of that Act (renewal areas).

Marginal Citations

M32 1989 c. 42.

Highways

- 13 Land indicated in a development plan (otherwise than by being dealt with in a manner mentioned in paragraphs 1, 2, 3 and 4) as—
- (a) land on which a highway is proposed to be constructed, or
 - (b) land to be included in a highway as proposed to be improved or altered.
- 14 Land on or adjacent to the line of a highway proposed to be constructed, improved or altered, as indicated in an order or scheme which has come into operation under Part II of the ^{M33}Highways Act 1980 (or under the corresponding provisions of Part II of the ^{M34}Highways Act 1959 or section 1 of the ^{M35}Highways Act 1971), being land in relation to which a power of compulsory acquisition conferred by any of the provisions of Part XII of that Act of 1980 (including a power compulsorily to acquire any right by virtue of section 250) may become exercisable, as being land required for purposes of construction, improvement or alteration as indicated in the order or scheme.

Notes

- (1) In this paragraph the reference to an order or scheme which has come into operation includes a reference to an order or scheme which has been submitted for confirmation to, or been prepared in draft by, the Minister of Transport or the Secretary of State

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

under Part II of that Act of 1980 and in respect of which a notice has been published under paragraph 1, 2 or 10 of Schedule 1 to that Act.

- (2) Note (1) shall cease to apply when—
- (a) the relevant order or scheme comes into operation (whether in its original form or with modifications), or
 - (b) the Secretary of State decides not to confirm or make the order or scheme.
- (3) In this paragraph the reference to land required for purposes of construction, improvement or alteration as indicated in an order or scheme includes a reference to land required for the purposes of section 246(1) of the Highways Act 1980.

Marginal Citations

- M33** 1980 c. 66.
M34 1959 c. 25.
M35 1971 c. 41.

- 15 Land shown on plans approved by a resolution of a local highway authority as land comprised in the site of a highway as proposed to be constructed, improved or altered by that authority.
- [^{F190}16 Land comprised in the site of a highway as proposed to be constructed, improved or altered by the Secretary of State if he has given written notice of the proposal, together with maps or plans sufficient to identify the land in question, to the local planning authority.]

Textual Amendments

- F190** Sch. 13 para. 16 substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 70, [Sch. 15 Pt. I para. 14\(1\)](#); S.I. 1991/2067, [art.3](#) (subject to art. 4)

- 17 Land shown on plans approved by a resolution of a local highway authority as land proposed to be acquired by them for the purposes of section 246(1) of the ^{M36}Highways Act 1980.

Marginal Citations

- M36** 1980 c. 66

- 18 Land shown in a written notice given by the Secretary of State to the local planning authority as land proposed to be acquired by him for the purposes of section 246(1) of the Highways Act 1980 in connection with a [^{F191}highway] which he proposes to provide.

Textual Amendments

- F191** Words in Sch. 13 para. 18 substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 70, [Sch. 15 Pt. I para. 14\(2\)](#)(with s. 84(5)); S.I. 1991/2067, [art.3](#) (subject to art. 4)

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

New streets

- 19 Land which—
- (a) either—
- (i) is within the outer lines prescribed by an order under section 188 of the Highways Act 1980 (orders prescribing minimum width of new streets) or section 159 of the ^{M37}Highways Act 1959 (which is the predecessor of that section); or
- (ii) has a frontage to a highway declared to be a new street by an order under section 30 of the ^{M38}Public Health Act 1925 and lies within the minimum width of the street prescribed by any byelaws or local Act applicable by virtue of the order; and
- (b) is, or is part of—
- (i) a dwelling erected before, or under construction on, the date on which the order is made; or
- (ii) the curtilage of any such dwelling.

Note

This paragraph does not include any land in which the appropriate authority have previously acquired an interest either in pursuance of a blight notice served by virtue of this paragraph or by agreement in circumstances such that they could have been required to acquire it in pursuance of such a notice.

Marginal Citations

M37 1959 c. 25.

M38 1925 c. 71.

General improvement areas

- 20 Land indicated by information published in pursuance of section 257 of the ^{M39}Housing Act 1985 as land which a local authority propose to acquire in the exercise of their powers under the provisions of Part VIII of that Act relating to general improvement areas.

Marginal Citations

M39 1985 c. 68.

Compulsory purchase

- 21 Land authorised by a special enactment to be compulsorily acquired, or land falling within the limits of deviation within which powers of compulsory acquisition conferred by a special enactment are exercisable.
- 22 Land in respect of which—
- (a) a compulsory purchase order is in force; or
- (b) there is in force a compulsory purchase order providing for the acquisition of a right or rights over that land;

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

and the appropriate authority have power to serve, but have not served, notice to treat in respect of the land or, as the case may be, the right or rights.

Notes

- (1) This paragraph applies also to land in respect of which—
- (a) a compulsory purchase order has been submitted for confirmation to, or been prepared in draft by, a Minister, and
 - (b) a notice has been published under paragraph 3(1)(a) of Schedule 1 to the ^{M40}Acquisition of Land Act 1981 or under any corresponding enactment applicable to it.
- (2) Note (1) shall cease to apply when—
- (a) the relevant compulsory purchase order comes into force (whether in its original form or with modifications); or
 - (b) the Minister concerned decides not to confirm or make the order.

Marginal Citations

M40 1981 c. 67.

[^{F192}23

Land—

- (a) the compulsory acquisition of which is authorised by an order under section 1 or 3 of the Transport and Works Act 1992, or
- (b) which falls within the limits of deviation within which powers of compulsory acquisition conferred by such an order are exercisable, or
- (c) which is the subject of a proposal, contained in an application made in accordance with rules under section 6 of that Act or in a draft order prepared under section 7(3) of that Act, that it should be such land.]

Textual Amendments

F192 Sch. 13 para. 23 added (1.1.1993) by Transport and Works Act 1992 (c. 42), s. 16(2); S.I. 1992/2784, art. 2(a), Sch. 1

VALID FROM 06/04/2009

[^{F193}24

Land falls within this paragraph if—

- (a) the compulsory acquisition of the land is authorised by an order granting development consent, or
- (b) the land falls within the limits of deviation within which powers of compulsory acquisition conferred by an order granting development consent are exercisable, or
- (c) an application for an order granting development consent seeks authority to compulsorily acquire the land.]

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F193 Sch. 13 para. 24 inserted (6.4.2009 for certain purposes and otherwise 1.3.2010) by [Planning Act 2008](#) (c. 29), [ss. 175\(2\)](#), 241 (with s. 226); S.I. 2009/400, [art. 3](#); S.I. 2010/101, [art. 4](#) (with art. 6)

VALID FROM 06/04/2009

[^{F194}Land identified in national policy statements

Textual Amendments

F194 Sch. 13 para. 25 and cross-heading inserted (6.4.2009 for certain purposes and otherwise 1.3.2010) by [Planning Act 2008](#) (c. 29), [ss. 175\(2\)](#), 241 (with s. 226); S.I. 2009/400, [art. 3](#); S.I. 2010/101, [art. 4](#) (with art. 6)

25 Land falls within this paragraph if the land is in a location identified in a national policy statement as suitable (or potentially suitable) for a specified description of development.

Note

Land ceases to fall within this paragraph when the national policy statement—
(a) ceases to have effect, or
(b) ceases to identify the land as suitable or potentially suitable for that description of development.]

SCHEDULE 14

Section 259.

PROCEDURE FOR FOOTPATHS AND BRIDLEWAYS ORDERS

Modifications etc. (not altering text)

C10 Sch. 14 applied (2.5.2006 for E. and 11.5.2006 for W.) by [The Restricted Byways \(Application and Consequential Amendment of Provisions\) Regulations 2006](#) (S.I. 2006/1177), reg. 2(1), [Sch. Pt. 1](#) (see S.I. 2006/1172, art. 2(a)-(d) (with art. 3) and S.I. 2006/1279, art. 2(a)-(d) (with art. 3))

PART I

CONFIRMATION OF ORDERS

1 (1) Before an order under section 257 or 258 is submitted to the Secretary of State for confirmation or confirmed as an unopposed order, the authority by whom the order was made shall give notice in the prescribed form—

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- (a) stating the general effect of the order and that it has been made and is about to be submitted for confirmation or to be confirmed as an unopposed order;
 - (b) naming a place in the area in which the land to which the order relates is situated where a copy of the order may be inspected free of charge and copies of it may be obtained at a reasonable charge at all reasonable hours; and
 - (c) specifying the time (which must not be less than 28 days from the date of the first publication of the notice) within which, and the manner in which, representations or objections with respect to the order may be made.
- (2) Subject to sub-paragraphs (6) and (7), the notice to be given under sub-paragraph (1) shall be given—
- (a) by publication in at least one local newspaper circulating in the area in which the land to which the order relates is situated; and
 - (b) by serving a similar notice on—
 - (i) every owner, occupier and lessee (except tenants for a month or a period less than a month and statutory tenants within the meaning of the ^{M41}Rent Act 1977) of any of that land; and
 - (ii) every council, the council of every ^{F195}. . . parish [^{F196}or community] and the parish meeting of every ^{F195}. . . parish not having a separate council, being a council or parish whose area includes any of that land; and
 - (iii) any statutory undertakers to whom there belongs, or by whom there is used, for the purposes of their undertaking, any apparatus under, in, on, over, along or across that land; and
 - (iv) every person on whom notice is required to be served in pursuance of sub-paragraph (4); and
 - (v) such other persons as may be prescribed in relation to the area in which that land is situated or as the authority may consider appropriate; and
 - (c) by causing a copy of the notice to be displayed in a prominent position—
 - (i) at the ends of so much of any footpath or bridleway as is to be stopped up, diverted or extinguished by the order;
 - (ii) at council offices in the locality of the land to which the order relates; and
 - (iii) at such other places as the authority may consider appropriate.
- (3) In sub-paragraph (2)—
- “council” means a county council, a district council, a London borough council or a joint authority established by Part IV of the ^{M42}Local Government Act 1985 ;
- “council offices” means offices or buildings acquired or provided by a council or by the council of a parish or community or the parish meeting of a parish not having a separate parish council.
- (4) Any person may, on payment of such reasonable charge as the authority may consider appropriate, require an authority to give him notice of all such orders under section 257 or 258 as are made by the authority during a specified period, are of a specified description and relate to land comprised in a specified area.
- (5) In sub-paragraph (4) “specified” means specified in the requirement.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- (6) Except where an owner, occupier or lessee is a local authority or statutory undertaker, the Secretary of State may in any particular case direct that it shall not be necessary to comply with sub-paragraph (2)(b)(i).
- (7) If the Secretary of State gives a direction under sub-paragraph (6) in the case of any land, then—
- (a) in addition to publication the notice shall be addressed to “the owners and any occupiers” of the land (describing it); and
 - (b) a copy or copies of the notice shall be affixed to some conspicuous object or objects on the land.
- (8) Sub-paragraph (2)(b) and (c) and, where applicable, sub-paragraph (7) shall be complied with not less than 28 days before the expiry of the time specified in the notice.
- (9) A notice required to be served by sub-paragraph (2)(b)(i), (ii), (iii) or (v) shall be accompanied by a copy of the order.
- (10) A notice required to be displayed by sub-paragraph (2)(c)(i) at the ends of so much of any way as is affected by the order shall be accompanied by a plan showing the general effect of the order so far as it relates to that way.

Textual Amendments

F195 Words in Sch. 14 para. 1(2)(b)(ii) repealed (8.11.1995) by 1995 c. 44, s. 1, Sch. 1 Pt. VI

F196 Words in Sch. 14 para. 1(2)(b)(ii) inserted (1.10.1995) by 1994 c. 19, s. 20(4), Sch. 6 Pt. II para. 24(17) (a) (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1995/2490, art. 4(1), Sch. 2

Modifications etc. (not altering text)

C11 Sch. 14 para. 1(3) amended (1.4.1995) by S.I. 1995/401, art. 18, Sch. para. 5

Marginal Citations

M41 1977 c. 42.

M42 1985 c. 51.

- 2 If no representations or objections are duly made, or if any so made are withdrawn, the authority by whom the order was made may, instead of submitting the order to the Secretary of State, themselves confirm the order (but without any modification).
- 3
- (1) This paragraph applies where any representation or objection which has been duly made is not withdrawn.
 - (2) If the objection is made by a local authority the Secretary of State shall, before confirming the order, cause a local inquiry to be held.
 - (3) If the representation or objection is made by a person other than a local authority the Secretary of State shall, before confirming the order, either—
 - (a) cause a local inquiry to be held; or
 - (b) give any person by whom any representation or objection has been duly made and not withdrawn an opportunity of being heard by a person appointed by the Secretary of State for the purpose.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- (4) After considering the report of the person appointed under sub-paragraph (2) or (3) to hold the inquiry or hear representations or objections, the Secretary of State may confirm the order, with or without modifications.
 - (5) In the case of an order under section 257, if objection is made by statutory undertakers on the ground that the order provides for the creation of a public right of way over land covered by works used for the purpose of their undertaking, or over the curtilage of such land, and the objection is not withdrawn, the order shall be subject to special parliamentary procedure.
 - (6) Notwithstanding anything in the previous provisions of this paragraph, the Secretary of State shall not confirm an order so as to affect land not affected by the order as submitted to him, except after—
 - (a) giving such notice as appears to him requisite of his proposal so to modify the order, specifying the time (which must not be less than 28 days from the date of the first publication of the notice) within which, and the manner in which, representations or objections with respect to the proposal may be made;
 - (b) holding a local inquiry or giving any person by whom any representation or objection has been duly made and not withdrawn an opportunity of being heard by a person appointed by the Secretary of State for the purpose; and
 - (c) considering the report of the person appointed to hold the inquiry or, as the case may be, to hear representations or objections.
 - (7) In the case of an order under section 257, if objection is made by statutory undertakers on the ground that the order as modified would provide for the creation of a public right of way over land covered by works used for the purposes of their undertaking or over the curtilage of such land, and the objection is not withdrawn, the order shall be subject to special parliamentary procedure.
- 4
- (1) A decision of the Secretary of State under paragraph 3 shall, except in such classes of case as may for the time being be prescribed or as may be specified in directions given by the Secretary of State, be made by a person appointed by the Secretary of State for the purpose instead of by the Secretary of State.
 - (2) A decision made by a person so appointed shall be treated as a decision of the Secretary of State.
 - (3) The Secretary of State may, if he thinks fit, direct that a decision which, by virtue of sub-paragraph (1) and apart from this sub-paragraph, falls to be made by a person appointed by the Secretary of State shall instead be made by the Secretary of State.
 - (4) A direction under sub-paragraph (3) shall—
 - (a) state the reasons for which it is given; and
 - (b) be served on the person, if any, so appointed, the authority and any person by whom a representation or objection has been duly made and not withdrawn.
 - (5) Where the Secretary of State has appointed a person to make a decision under paragraph 3 the Secretary of State may, at any time before the making of the decision, appoint another person to make it instead of the person first appointed to make it.
 - (6) Where by virtue of sub-paragraph (3) or (5) a particular decision falls to be made by the Secretary of State or any other person instead of the person first appointed to make it, anything done by or in relation to the latter shall be treated as having been done by or in relation to the former.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- (7) Regulations under this Act may provide for the giving of publicity to any directions given by the Secretary of State under this paragraph.
- 5 (1) The Secretary of State shall not confirm an order under section 257 which extinguishes a right of way over land under, in, on, over, along or across which there is any apparatus belonging to or used by statutory undertakers for the purposes of their undertaking, unless the undertakers have consented to the confirmation of the order.
- (2) Any such consent may be given subject to the condition that there are included in the order such provisions for the protection of the undertakers as they may reasonably require.
- (3) The consent of statutory undertakers to any such order shall not be unreasonably withheld.
- (4) Any question arising under this paragraph whether the withholding of consent is unreasonable, or whether any requirement is reasonable, shall be determined by whichever Minister is the appropriate Minister in relation to the statutory undertakers concerned.
- 6 Regulations under this Act may, subject to this Part of this Schedule, make such provision as the Secretary of State thinks expedient as to the procedure on the making, submission and confirmation of orders under sections 257 and 258.

PART II

PUBLICITY FOR ORDERS AFTER CONFIRMATION

- 7 (1) As soon as possible after an order under section 257 or 258 has been confirmed by the Secretary of State or confirmed as an unopposed order, the authority by whom the order was made—
- (a) shall publish, in the manner required by paragraph 1(2)(a), a notice in the prescribed form—
 - (i) describing the general effect of the order,
 - (ii) stating that it has been confirmed, and
 - (iii) naming a place in the area in which the land to which the order relates is situated where a copy of the order as confirmed may be inspected free of charge and copies of it may be obtained at a reasonable charge at all reasonable hours;
 - (b) shall serve a similar notice on any persons on whom notices were required to be served under paragraph 1(2)(b) or (7); and
 - (c) shall cause similar notices to be displayed in a similar manner as the notices required to be displayed under paragraph 1(2)(c).
- (2) No such notice or copy need be served on a person unless he has sent to the authority a request in that behalf, specifying an address for service.
- (3) A notice required to be served by sub-paragraph (1)(b) on—
- (a) a person on whom notice was required to be served by paragraph 1(2)(b)(i), (ii) or (iii); or
 - (b) in the case of an order which has been confirmed with modifications, a person on whom notice was required to be served by paragraph 1(2)(b)(v),

Status: Point in time view as at 08/11/1995.

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shall be accompanied by a copy of the order as confirmed.

- (4) As soon as possible after a decision not to confirm an order under section 257 or 258, the authority by whom the order was made shall give notice of the decision by serving a copy of it on any persons on whom notices were required to be served under paragraph 1(2)(b) or (7).
- 8 Where an order under section 257 or 258 has come into force otherwise than—
- (a) on the date on which it was confirmed by the Secretary of State or confirmed as an unopposed order; or
 - (b) at the expiration of a specified period beginning with that date,
- then as soon as possible after it has come into force the authority by whom it was made shall give notice of its coming into force by publication in at least one local newspaper circulating in the area in which the land to which the order relates is situated.

SCHEDULE 15

Section 302(5).

PRELIMINARY

- 1 In this Schedule an application under section 302(3) and a determination given on such an application are referred to respectively as “a compliance determination application” and “a compliance determination”.

Making of compliance determination applications

- 2 (1) A compliance determination application may be made with respect to any land—
- (a) by the owner or occupier of the land, or
 - (b) by any person who proves that he has or intends to acquire an interest in the land which will be affected by a compliance determination or that he has borne any of the cost of carrying out works on the land during the war period.
- (2) In the case of land owned or occupied by or on behalf of the Crown, or leased to, or to a person acting on behalf of, the Crown, or land with respect to which it is proved that there is held, or intended to be acquired, by or on behalf of the Crown an interest in the land which will be affected as mentioned in sub-paragraph (1) or that any of the cost there mentioned has been borne by the Crown, a compliance determination application may be made by any person acting on behalf of the Crown.
- 3 A compliance determination application shall be accompanied by such plans and other information as are necessary to enable the application to be determined.
- 4 (1) The authority to whom a compliance determination application is made shall within 14 days from the receipt of the application publish notice of it in one or more local newspapers circulating in the area in which the land is situated and serve notice of it on any person appearing to the authority to be specially affected by the application.
- (2) The authority shall take into consideration any representations made to them in connection with the application within 14 days from the publication of the notice.

Status: Point in time view as at 08/11/1995.

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Determination of applications

- 5 (1) Where a compliance determination application is made to an authority the authority shall determine whether the works or use in question fail to comply with any planning control which the authority are responsible for enforcing and, if so, shall specify the control in question.
- (2) Where the authority determine that works or a use fail so to comply they shall further determine whether having regard to all relevant circumstances the works or use shall, notwithstanding the failure, be deemed so to comply, either unconditionally or subject to such conditions as to the time for which the works or use may be continued, the carrying out of alterations, or other matters, as the authority think expedient.

Appeals against compliance determinations or failure to make such determinations

- 6 (1) Where the applicant is aggrieved by a compliance determination, or where a person by whom representations have been made as mentioned in paragraph 4 is aggrieved by such a determination, he may appeal to the Secretary of State.
- (2) The applicant may also appeal if he is aggrieved by the failure of the authority to determine the application within two months from the last day on which representations under paragraph 4 may be made and has served notice on the authority that he appeals to the Secretary of State.
- (3) An appeal under this paragraph must be made within the period of 28 days after the applicant has notice of the determination or, in the case of an appeal under subparagraph (2), after the applicant has served notice on the authority of the appeal, or within such extended period as the Secretary of State may allow.
- 7 (1) On such an appeal the Secretary of State may give, in substitution for the determination, if any, given by the authority, such determination as appears to him to be proper having regard to all relevant circumstances, or, if he is satisfied that the applicant was not a person entitled to make the application, may decide that the application is not to be entertained.
- (2) At any stage of the proceedings on such an appeal to him the Secretary of State may, and shall if so directed by the High Court, state in the form of a special case for the opinion of the High Court any question of law arising in connection with the appeal.
- 8 Subject to paragraph 9 and to any determination or decision of the Secretary of State on an appeal under paragraph 7, any compliance determination shall be final and any such failure to give a determination as mentioned in paragraph 6(2) shall be taken on the service of the notice there mentioned as a final refusal by the authority to entertain the application, and any determination or decision of the Secretary of State on an appeal under paragraph 7 shall be final.

Fresh applications where alteration in circumstances

- 9 Where a compliance determination has been given that works on land or a use of land shall not be deemed to comply with planning control or shall be deemed to comply with it subject to conditions, then if a person entitled to make a compliance determination application with respect to the land satisfies the authority or on appeal the Secretary of State that there has been a material change of circumstances since the previous application was determined, he may make a subsequent application and on such an application the authority or on appeal the Secretary of State may

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substitute for the compliance determination such determination as appears proper having regard to all relevant circumstances.

References of application to Secretary of State

- 10 (1) If it appears to the Secretary of State that it is expedient, having regard to considerations affecting the public interest (whether generally or in the locality concerned), that any compliance determination application to an authority or any class or description of such applications, should instead of being determined by the authority be referred to him for decision, he may give directions to the authority requiring that application, or applications of that class or description, to be so referred.
- (2) This Schedule shall apply to any such reference as if it were an appeal under paragraph 6(2) following failure of the authority to entertain the application.

Information

- 11 The Secretary of State may give directions to any authority responsible for enforcing planning control requiring them to furnish him with such information with respect to compliance determination applications received by them as he considers necessary or expedient in connection with the exercise of his functions under this Schedule.

Opportunity for hearing

- 12 On any compliance determination application or any appeal under this Schedule the applicant or, in the case of an application referred to the Secretary of State for decision or an appeal to the Secretary of State, the applicant or the authority responsible for enforcing the planning control in question, may require the authority by whom the application is to be determined or, as the case may be, the Secretary of State to give him or them an opportunity before the application or appeal is determined of appearing before and being heard by a person appointed by the authority or, as the case may be, the Secretary of State for the purpose.

Notice of proposed enforcement

- 13 (1) This paragraph applies where before the relevant date any person proposes to take steps for enforcing a planning control in the case of such works or such a use as mentioned in subsection (1) of section 302.
- (2) Subject to sub-paragraph (4), unless a compliance determination application has been made in relation to the land which has not been finally determined, that person shall serve on every owner and occupier of the land not less than 28 days' notice of the proposal, and if within that period any person makes such an application in relation to the land and within seven days of making it serves on the person proposing to take steps as aforesaid notice that the application has been made, no steps for enforcing the control shall be taken until the final determination of the application.
- (3) If such an application has been made which has not been finally determined, no such steps shall be taken until the final determination of it.

Status: Point in time view as at 08/11/1995.

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- (4) No notice shall be required under sub-paragraph (2) if steps for enforcing a planning control in the case of any works on land are begun within 28 days of the final determination of a compliance determination application in relation to the land.
- (5) For the purpose of this paragraph a compliance determination application shall be treated as having been finally determined notwithstanding that a subsequent application may be made under paragraph 9.

Power of entry

- 14 (1) At any time before the relevant date any officer of an authority responsible for enforcing planning control shall, on producing, if so required, some duly authenticated document showing his authority to act for the purposes of this paragraph, have a right, subject to the provisions of this paragraph, to enter any premises at all reasonable hours—
 - (a) for the purpose of ascertaining whether there are on the premises any works carried out during the war period which do not comply with planning control, or whether a use of the premises continues which was begun during that period and does not comply with it;
 - (b) where a compliance determination application has been made to the authority, for the purpose of obtaining any information required by the authority for the exercise of their functions under section 302 and this Schedule in relation to the application.
- (2) Admission to any premises which are occupied shall not be demanded as of right unless 24 hours' notice of the intended entry has been served on the occupier.
- (3) Any person who wilfully obstructs any officer of an authority acting in the exercise of his powers under this section shall be liable on summary conviction to a fine not exceeding level 1 on the standard scale.
- (4) If any person who in compliance with this paragraph is admitted into a factory, workshop or workplace, discloses to any person any information obtained by him in it with regard to any manufacturing process or trade secret, he shall, unless such disclosure was made in the performance of his duty, be liable on summary conviction to a fine not exceeding level 3 on the standard scale or to imprisonment for a term not exceeding three months.

Service of notices

- 15 (1) Any notice or other document required or authorised to be served under this Schedule may be served on any person either by delivering it to him, or by leaving it at his proper address or by post.
- (2) Any such document required or authorised to be served upon an incorporated company or body shall be duly served if it is served upon the secretary or clerk of the company or body.
- (3) For the purposes of this paragraph and of section 7 of the ^{M43}Interpretation Act 1978, the proper address of any person upon whom any such document is to be served is—
 - (a) in the case of the secretary or clerk of any incorporated company or body, that of the registered or principal office of the company or body, and
 - (b) in any other case, the last known address of the person to be served.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- (4) If it is not practicable after reasonable enquiry to ascertain the name or address of an owner or occupier of land on whom any such document is to be served, the document may be served by addressing it to him by the description of “owner” or “occupier” of the premises (describing them) to which it relates, and by delivering it to some person on the premises or, if there is no person on the premises to whom it can be delivered, by affixing it, or a copy of it, to some conspicuous part of the premises.

Marginal Citations

M43 1978 c. 30.

Supplementary provisions

- 16 Parts XIV and XV do not apply to section 302 and this Schedule.

SCHEDULE 16

Sections 314 to 319.

PROVISIONS OF THE PLANNING ACTS REFERRED TO IN SECTIONS 314 TO 319

PART I

Section 1(1), (2), (3) and (5).

Section 2.

Section 9.

Section 55.

Section 57.

Section 59.

Section 60 except subsection (4).

Sections 61 ^[F197] and 62].

Textual Amendments

F197 Words in entry in Sch. 16 Pt. I relating to ss. 61-64 substituted (2.1.1992 so far as relating to the omission of the reference to s. 63 otherwise 27.7.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, **Sch. 7 para. 57(2)(a)** (with s. 84(5)); S.I. 1991/2905, art. 3, **Sch. 1**; S.I. 1992/1630, art. 2, **Sch. 1** (with art. 3(1))

Section 69(1), (2) and (5).

Section 70.^[F198]Section 70A.]

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F198 Entry in Sch. 16 Pt. 1 inserted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(2\)\(b\)](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to art. 4)

Section 72(1) to (4).^{F199}Section 73A.]

Textual Amendments

F199 Entry in Sch. 16 Pt. I inserted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(2\)\(c\)](#) (with s. 84(5)); S.I. 1991/2905, [art. 3](#), [Sch. 1](#) (subject to art. 5)

Section 74.

Section 75.

Section 77 with the omission in subsection (4) of the reference to sections 65 ^{F200} . . .

Textual Amendments

F200 Words in the entry in Sch. 16 Pt. I relating to s. 77 repealed (17.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(2\)\(d\)](#), [Sch. 19 Pt. I](#) (with s. 84(5)); S.I. 1992/1491, [art. 2](#), [Schs. 1, 2](#)

Sections 78 and 79(1) to (5) ^{F201} . . .

Textual Amendments

F201 Words in the entry in Sch. 16 Pt. I relating to ss. 78-79 repealed (17.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(2\)\(e\)](#), [Sch. 19 Pt. I](#) (with s. 84(5)); S.I. 1992/1491, [art. 2](#), [Schs. 1, 2](#)

Section 90(1), (3) and (4).

Sections 96 to 98 except subsection (5) of section 97.

Section 100.

Sections 102 to 104 except subsection (8) of section 102.

[^{F202}Sections 106 to 106B.]

Textual Amendments

F202 Entry in Sch. 16 Pt. I substituted (9.11.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(2\)\(f\)](#) (with s. 84(5)); S.I. 1992/2831, [art. 2](#)

Section 107.

Section 108.

[^{F203}Section 115]

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F203 Entry in Sch. 16 Pt. I substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 31(4), [Sch. 6 para. 41\(a\)](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to art. 4)

Sections 117 and 118.

Section 137 except subsections (6) and (7).

Section 138.

Section 139(1) to (4).

Sections 140 and 141.

Sections 143 and 144.

Section 148.

Section 175(5).

[^{F204}Section 175(7)]

Textual Amendments

F204 Words inserted (temp.) by virtue of [Planning \(Consequential Provisions\) Act 1990 \(c. 11, SIF 123:1, 2\)](#), s. 6, [Sch. 4 paras. 1, 8\(a\)](#) (which temp. insertion falls (2.1.1992) for specified purposes only by virtue of S.I. 1991/2698, [art. 3](#))

Sections 178 to 182

Section 185.

Section 186(6) and (7).

Section 188.

Section 189.

Section 190 (in so far as it applies to orders under section 102).

[^{F205}Section 192.]

Textual Amendments

F205 Entry in Sch. 16 Pt. I inserted (27.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(2\)\(g\)](#) (with s. 84(5)); S.I. 1992/1630, [art. 2](#), [Sch. 1](#) (with art. 3(1))

[^{F204}Section 196(8)]

[^{F206}Sections 196A to 196C.]

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F206 Entry in Sch. 16 Pt. I inserted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(2\)\(g\)](#) (with s. 84(5)); S.I. 1991/2905, art. 3, [Sch. 1](#) (subject to art. 5)

Sections 198 to 200.

Sections 202 and 203.

Section 205.

Section 208(10).

[^{F204}Section 208(11)]

Section 209(6).

Section 210.

Section 211(4). [^{F207}Sections 214A to 214D.]

Textual Amendments

F207 Entry in Sch. 16 Pt. I inserted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(2\)\(h\)](#) (with s. 84(5)); S.I. 1991/2905, art. 3, [Sch. 1](#) (subject to art. 5)

Sections 215 to 224.

Section 227.

Sections 229 to 233.

Sections 235 to 247.

Sections 251 and 252.

Sections 254 to 256.

Section 260.

Section 263.

Section 265(1) and (4).

Sections 266 to 272.

Sections 274 to 278.

Section 279 except subsection (4).

Section 280 except subsections (6) and (8)(b).

Sections 281 to 283.

Section 284(1) except paragraphs (e) and (f).

Section 285 ^{F208} . . .

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F208 Words in entry in Sch. 16 Pt. I relating to s. 285 repealed (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 32, 84(6), Sch. 7 para. 57(2)(i), [Sch. 19 Pt. I](#) (with s. 84(5)); S.I. 1991/2905, art. 3, Schs. 1, 2 (subject to art. 5)

Section 287.

Section 289.

Section 292 with the omission in subsection (2) of the references to section 288.

Section 293(1) to (3).

Section 294(1).

Section 296(1) (the reference in paragraph (c) to Part III not being construed as referring to [^{F209}section 65]), and (2) to (4).

Textual Amendments

F209 Words in the entry in Sch. 16 Pt. I relating to s. 296 substituted (17.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(2\)\(j\)](#)(with s. 84(5)); S.I. 1992/1491, art. 2, [Sch. 1](#)

Section 297.

Sections 305 and 306.

Section 314.

Section 315.

[^{F210}Sections 316 and 316A.]

Textual Amendments

F210 Entry in Sch. 16 Pt. I substituted (17.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(2\)\(k\)](#) (with s. 84(5)); S.I. 1992/1491, art. 2, [Sch. 1](#)

Section 318 except subsections (2)(a), (4) and (5).

Section 324(1), (3) and (5) to (9).

Section 325.

Section 330.

Section 334.

Paragraphs 13 and 20(3) of Schedule 1.

Schedule 3.

Paragraphs 1 to 3 of Schedule 4.

Schedule 17.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Any other provisions of the planning Acts in so far as they apply, or have effect for the purposes of, any of the provisions specified above.

PART II

Sections 30 to 49.

Section 50(5).

Section 51.

Sections 53 and 54.

Section 56(2) to (6) with the omission in subsection (3) of the references to sections 85, 86(6) and 87(4).

[^{F211}Section 65.]

Textual Amendments

F211 Entry in Sch. 16 Pt. 2 substituted (17.7.1992) for entries relating to ss. 65 and 68 by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(3\)\(a\)](#) (with s. 84(5)); S.I. 1992/1491, art. 2, [Sch. 1](#)

Section 69(3) and (4).

Section 79(6) [^{F212}to] (7).

Textual Amendments

F212 Word in [Sch. 16 Pt. 2](#) substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(3\)\(b\)](#)(with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to art. 4)

Sections 91 to 93.

Section 94(1)(a) and (2) to (6).

Section 95.

Section 99.

Section 101.

Section 137(6) and (7).

Section 142.

Section 157(1) and (2).

Sections 162 and 163.

Section 166.[^{F213}Sections 171A to 171D.]

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Textual Amendments

F213 Entry in Sch. 16 Pt. 2 inserted (2.1.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch 7 para. 57\(3\)\(c\)](#)(with s. 84(5)); S.I. 1991/2905, art. 3, [Sch. 1](#) (subject to art. 5)

Sections 172 to 174.

Section 175(1) to (4) and (6).

Sections 176 and 177.

Sections 183 and 184.

Section 186(1) to (5).

[^{F214}Sections 187 to 187B.]

Textual Amendments

F214 Entry in Sch. 16 Pt. 2 substituted (2.1.1992 except so far as relating to s. 187A which exception is 27.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, [Sch. 7 para. 57\(3\)\(d\)](#)(with s. 84(5)); S.I. 1991/2905, art. 3, [Sch. 1](#) (subject to art. 5); S.I. 1992/1630, art. 2, [Sch. 1](#) (with art. 3(1))

Sections 191 to 196.

Section 208(9).

Section 226.

Section 228(1), (3), (4) and (7).

Sections 248, 249 and 250.

Section 253.

Section 257.

Section 258(1).

Section 259.

Section 261.

Section 264(1) to (6).

Section 273.

Section 279(4).

Section 280(6) and (8)(b).

Section 304.

Section 307.

Section 331.

Paragraphs 3 to 12 of Part II of Schedule 2, Part III of Schedule 2, Schedules 6 and 14.

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

PART III

[^{F215}Sections 109 to 112.]

Textual Amendments

F215 Entry in Sch. 16 Pt. III substituted (25.9.1991) for the first three entries by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, **Sch. 7 para. 57(4)(a)**(with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

Section 298.

Sections 308 to 310.

^{F216} . . .

Textual Amendments

F216 Entries in Sch. 16 Pt. III repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 32, 84(6), **Sch. 7 para. 57(4)(b)**, **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1991/2067, art. 3, **Sch. 1** (subject to art. 4)

Section 318(4) and (5).

^{F216} . . .

[^{F217}Section 328.]

Textual Amendments

F217 Entry in Sch. 16 Pt. III substituted (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 32, **Sch. 7 para. 57(4)(c)** (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

^{F218} . . .

Textual Amendments

F218 Entry in Sch. 16 Pt. III repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(4), 84(6), **Sch. 6 para. 41(b)**, **Sch. 19 Pt.II** (with s. 84(5)); S.I. 1991/2067, **art.3** (subject to art. 4)

Any other provisions of the planning Acts in so far as they apply, or have effect for the purposes of, any of the provisions specified above.

^{F219}PART IV

Textual Amendments

F219 **Sch. 16 Pt. IV** repealed (27.7.1992) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 32, 84(6), **Sch. 7 para. 57(5)**, **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1992/1630, art. 2, Schs. 1, 2 (with art. 3(1))

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

F²²⁰ PART V

Textual Amendments

F220 Sch. 16 Pt. V repealed (17.7.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, Sch. 7 para. 57(5), **Sch. 19 Pt.I** (with s. 84(5)); S.I. 1992/1491, art. 2, Schs. 1, 2

PART VI

Section 60(4).

[^{F221}Section 65.]

Textual Amendments

F221 Entries in Sch. 16 Pt. VI substituted (17.7.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, **Sch. 7 para. 57(6)(a)**(with s. 84(5)); S.I. 1992/1491, art. 2, **Sch. 1**

Section 71(1) [^{F222}(2) and (2A)].

Textual Amendments

F222 Words in entries in Sch. 16 Pt. VI substituted (17.7.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, **Sch. 7 para. 57(6)(b)(d)**(with s. 84(5)); S.I. 1992/1491, art. 2, **Sch. 1**

Sections 149 to 151.

Section 153(1) to (7).

Sections 154 to 156.

Section 161(1) in so far as it relates to provisions mentioned in this Part of this Schedule.

Section 164.

Sections 168 to 171.

Section 284 except subsection (1)(a) to (d).

Section 285(5) and (6).

Section 288.

[^{F223}Section 291.]

Textual Amendments

F223 Entries in Sch. 16 Pt. VI substituted (27.7.1992) by Planning and Compensation Act 1991 (c. 34, SIF 123:1), s. 32, **Sch. 7 para. 57(6)(c)** (with s. 84(5)); S.I. 1992/1630, art. 2, **Sch. 1** (with art. 3(1))

Section 292(2).

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

Section 296(1) (construed as if the reference to Part III were a reference only to [F222 section 65]) and (5).

Section 318(2) except paragraph (b).

F224 . . .

Textual Amendments

F224 Entry in Sch. 16 Pt. VI repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 31(4), 84(6), Sch. 6 para. 41(b), **Sch. 19 Pt. II** (with s. 84(5)); S.I. 1991/2067, **art. 3** (subject to art. 4)

In Schedule 13, paragraphs 1 to 4, 12 to 16 and 20 to 22.

Any other provisions of this Act in so far as they apply, or have effect for the purpose of, any of the provisions specified above.

SCHEDULE 17

Section 333(6).

ENACTMENTS EXEMPTED FROM SECTION 333(6)

1^{F225}

Textual Amendments

F225 [Sch. 17 para. 1](#) repealed by [Environmental Protection Act 1990 \(c. 43, SIF 46:4\)](#), s. 162(1), **Sch. 16 Pt. III**

- 2 The following provisions of the ^{M44}Highways Act 1980—
 section 73(1) to (3), (6) and (9) to (11)
 section 74 (except subsection (6))
 F226 . . .
 section 241
 section 261(5) and, so far as it relates to it, section 261(6)
 section 307(5) and (7)
 Schedule 9.

Textual Amendments

F226 Words in [Sch. 17 para. 2](#) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), s. 84(6), **Sch. 19 Pt. V** (with s. 84(5) and subject to saving in s. 81(2)); S.I. 1991/2067, **art.3** (subject to art. 4)

Marginal Citations

M44 1980 c. 66.

- 3 The following further provisions of the Highways Act 1980—
 [F227(a) sections 187 and 200(1) so far as applicable for the purposes of section 188 of that Act;]

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

- (b) section 247(6) so far as applicable for the purposes of section 241 of that Act;
- (c) in section 307—
 - (i) subsections (1) to (3) so far as applicable for the purposes of section 73 of that Act;
 - (ii) subsections (1), (3) and (6) so far as applicable for the purposes of section 74 of that Act;
 - ^{F227}(iii)
- (d) section 311 so far as applicable for the purposes of section 74 of that Act.

Textual Amendments

F227 Sch. 17 para. 3(a)(c)(iii) repealed (25.9.1991) by [Planning and Compensation Act 1991 \(c. 34, SIF 123:1\)](#), ss. 84(6), [Sch. 19 Pt.V](#) (with s. 84(5)); S.I. 1991/2067, [art. 3](#) (subject to [art. 4](#))

- 4 Section 279 of the Highways Act 1980 so far as the purposes in question are the purposes of the exercise by a county council or metropolitan district council in relation to roads maintained by that council of their powers under section 73(1) to (3), (6) and (9) to (11) or section 241 of that Act.
- 5 Any enactment making such provision as might by virtue of any Act of Parliament have been made in relation to the area to which the order applies by means of a byelaw, order or regulation not requiring confirmation by Parliament.
- 6 Any enactment which has been previously excluded or modified by a development order, and any enactment having substantially the same effect as any such enactment.

TABLE OF DERIVATIONS

Notes:

- 1 The following abbreviations are used in this Table:—

| | |
|---------------|---|
| 1946 c. 35 = | The Building Restrictions (War-Time Contraventions) Act 1946 |
| 1951 c. 60 = | The Mineral Workings Act 1951 |
| 1953 c. 49 = | The Historic Buildings and Ancient Monuments Act 1953 |
| 1958 c. 69 = | The Opencast Coal Act 1958 |
| 1969 c. 22 = | The Redundant Churches and Other Religious Buildings Act 1969 |
| 1969 c. 48. = | The Post Office Act 1969 |
| 1971 c. 78 = | The Town and Country Planning Act 1971 |

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

| | |
|---------------|--|
| 1972 c. 5 = | The Local Employment Act 1972 |
| 1972 c. 42 = | The Town and Country Planning (Amendment) Act 1972 |
| 1972 c. 70 = | The Local Government Act 1972 |
| 1973 c. 26 = | The Land Compensation Act 1973 |
| 1973 c. 37 = | The Water Act 1973 |
| 1973 c. 41 = | The Fair Trading Act 1973 |
| 1974 c. 7 = | The Local Government Act 1974 |
| 1974 c. 32 = | The Town and Country Amenities Act 1974 |
| 1974 c. 36 = | The Mines (Working Facilities and Support) Act 1974 |
| 1975 c. 24 = | The House of Commons Disqualification Act 1975 |
| 1975 c. 10 = | The Statute Law (Repeals) Act 1975 |
| 1975 c. 71 = | The Housing (Consequential Provisions) Act 1975 |
| 1975 c. 76 = | The Local Land Charges Act 1975 |
| 1977 c. 29 = | The Town and Country Planning (Amendment) Act 1977 |
| 1977 c. 38 = | The Administration of Justice Act 1977 |
| 1977 c. 40 = | The Control of Office Development Act 1977 |
| 1977 c. 45 = | The Criminal Law Act 1977 |
| 1977 SI/293 = | The Local Authorities Etc. (Miscellaneous Provisions) Order 1977 |
| 1978 c. 30 = | The Interpretation Act 1978 |
| 1979 c. 46 = | The Ancient Monuments and Archaeological Areas Act 1979 |
| 1980 c. 43 = | The Magistrates' Courts Act 1980 |
| 1980 c. 65 = | The Local Government, Planning and Land Act 1980 |
| 1980 c. 66 = | The Highways Act 1980 |
| 1981 c. 36 = | The Town and Country Planning (Minerals) Act 1981 |
| 1981 c. 38 = | The British Telecommunications Act 1981 |
| 1981 c. 41 = | The Local Government and Planning (Amendment) Act 1981 |

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

| | |
|---------------|--|
| 1981 c. 43 = | The Disabled Persons Act 1981 |
| 1981 c. 54 = | The Supreme Court Act 1981 |
| 1981 c. 64 = | The New Towns Act 1981 |
| 1981 c. 66 = | The Compulsory Purchase (Vesting Declarations) Act 1981 |
| 1981 c. 67 = | The Acquisition of Land Act 1981 |
| 1981 c. 69 = | The Wildlife and Countryside Act 1981 |
| 1982 c. 16 = | The Civil Aviation Act 1982 |
| 1982 c. 21 = | The Planning Inquiries (Attendance of Public) Act 1982 |
| 1982 c. 30 = | The Local Government (Miscellaneous Provisions) Act 1982 |
| 1982 c. 48 = | The Criminal Justice Act 1982 |
| 1982 c. 52 = | The Industrial Development Act 1982 |
| 1982 SI/86 = | The Town and Country Planning (Minerals) Act 1981 (Commencement No 1) Order 1982 |
| 1983 c. 47 = | The National Heritage Act 1983 |
| 1984 c. 10 = | The Town and Country Planning Act 1984 |
| 1984 c. 12 = | The Telecommunications Act 1984 |
| 1984 c. 32 = | The London Regional Transport Act |
| 1985 c. 9 = | The Companies (Consequential Provisions) Act 1985 |
| 1985 c. 19 = | The Town and Country Planning (Compensation) Act 1985 |
| 1985 c. 51 = | The Local Government Act 1985 |
| 1985 c. 52 = | The Town and Country Planning (Amendment) Act 1985 |
| 1985 c. 71 = | The Housing (Consequential Provisions) Act 1985 |
| 1986 c. 31 = | The Airports Act 1986 |
| 1986 c. 63 = | The Housing and Planning Act 1986 |
| 1986 c. 44 = | The Gas Act 1986 |
| 1986 SI/452 = | The Local Government Reorganisation (Miscellaneous Provision) (No 4) Order 1986 |
| 1987 c. 3 = | The Coal Industry Act 1987 |

Status: Point in time view as at 08/11/1995.

Changes to legislation: *Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)*

| | |
|---------------|---|
| 1988 c. 4 = | The Norfolk and Suffolk Broads Act 1988 |
| 1988 c. 40 = | The Education Reform Act 1988 |
| 1988 c. 50 = | The Housing Act 1988 |
| 1989 c. 15 = | The Water Act 1989 |
| 1989 c. 29 = | The Electricity Act 1989 |
| 1989 c. 34 = | The Law of Property (Miscellaneous Provisions) Act 1989 |
| 1989 c. 42 = | The Local Government and Housing Act 1989 |
| 1989 c. 43 = | The Statute Law (Repeals) Act 1989 |
| 1990 SI/465 = | The Town and Country Planning (Blight Provisions) Order 1990 |
| 1990 SI/776 = | The Local Government Finance (Repeals, Savings and Consequential Amendments) Order 1990 |

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- 2 The Table does not show the effect of transfer of functions orders.
- 3 The letter R followed by a number indicates that the provision gives effect to the Recommendation bearing that number in the Law Commission's Report on the Consolidation of Certain Enactments relating to Town and Country Planning (Cmnd.958).
- 4 The entry "drafting" indicates a provision of a mechanical or editorial nature only affecting the arrangement of the consolidation.

| | |
|----------|---|
| 1(1) | 1971 c.78 s.1(1)(a), (2A); 1985 c.51 s.3(1); 1986 c.63, Sch.11 para. 14. |
| (2) | 1971 c.78 s.1(1)(b), (c); 1985 c.51 s.3(1). |
| (3) | 1972 c.70 s.182(2); 1985 c. 51 s.3(5). |
| (4) | 1971 c.78 s.1(2B); 1985 c. 51 s.3(3). |
| (5)(a) | 1971 c.78 s.1(6); 1972 c.70 Sch.16 para. 43(b); 1988 c.4 s.2(5), Sch.3 para. 8. |
| (b) | 1971 c.78 s.1(1). |
| (c) | 1972 s.182(2). |
| 2(1),(2) | 1971 c.78 s.1(2); 1972 c.70 s.182(1). |
| (3) | 1971 c.78 s.1(4). |
| (4), (5) | 1971 c.78 Sch.1 paras. 1, 2 . |
| (6) | 1971 c.78 Sch.1 para. 3; 1972 c.70 Sch.16 paras. 49,52; 1972 s.272(2). |

Status: Point in time view as at 08/11/1995.

Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

| | |
|-------------|--|
| (7) | 1971 c.78 s.1(6); 1972 c.70 s.182(2) Sch.16 para. 43(b); 1988 c.4 Sch. 3 para. 8. |
| 3 (1) | 1985 c.51 s.5(1), drafting. |
| (2) to (4) | 1985 c.51 s.5(2) to (4). |
| 4(1) | 1972 c.70 s.182(4); 1985 c. 51 s.7(1), Sch.3 para. 3(1). |
| (2) | 1972 c. 70 s.182(5); 1985 c. 51 Sch.3 para. 3(1); R 1. |
| (3) | 1972 c. 70 s.182(6). |
| (4) | 1985 c. 51 s.7(1), Sch.3 para. 2(2) (part). |
| 5(1) | 1971 c.78 ss.212(10), 280(10)(b); 1984 c.10 s.6(5); 1988 c.4 Sch.3 paras. 21, 23, 32, 48; R 2. |
| (2),(3) | 1971 c.78 ss.273A, 280(10)(a); 1972 c.70 Sch 16 para 10(5); 1988 c.4 Sch.3 paras. 7, 23, 28. |
| 6(1) | 1980 c.65 Sch.32 para. 5(7). |
| (2) | 1980 c.65 Sch.32 para. 15(2)(b)(i). |
| (3) | 1980 c.65 Sch.32 para. 20(1). |
| (4) | 1980 c.65 Sch.32 para. 25(1)(c). |
| (5) | 1980 c.65 Sch.32 para. 25(2). |
| 7(1) to (4) | 1980 c.65 s. 149(1) to (4). |
| (5) | 1980 c.65 s.149(11). |
| 8(1) | 1988 c.50 s.67(1). |
| (2) | 1988 c.50 s.67(3). |
| 9 | 1971 c.78 s.1(5) |
| 10 | 1985 c.51 s.4(1), Sch.3 para. 2(2)(part). |
| 11 | 1985 c.51 Sch.1 para. 1. |
| 12(1) | 1985 c.51 Sch.1 para. 2(1). |
| (2) to (4) | 1985 c.51 Sch.1 para. 2(2). |
| (5) to (9) | 1985 c.51 Sch.1 para. 2(3) to (7). |
| 13(1), (2) | 1985 c.51 Sch.1 para. 3(1). |
| (3), (4) | 1985 c.51 Sch.1 para. 3(2). |
| (5) to (7) | 1985 c.51 Sch.1 para. 3(3) to (5). |
| 14 | 1985 c.51 Sch.1 para. 4. |
| 15 | 1985 c.51 Sch.1 para. 5. |

Status: Point in time view as at 08/11/1995.

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| | |
|--------------|---|
| 16(1) to (3) | 1985 c.51 Sch.1 para. 6(1). |
| (4), (5) | 1985 c.51 Sch.1 para. 6(2), (3). |
| 17(1) | 1985 c.51 para. 6A; 1986 c.63 Sch. 10 Pt.II para. 2. |
| (2) | 1985 c.51 para. 6A; 1986 c.63 Sch. 10 Pt. II para. 2. |
| 18(1), (2) | 1985 c.51 Sch.1 para. 7(1). |
| (3), (4) | 1985 c.51 Sch.1 para. 7(2), (3). |
| 19 | 1985 c.51 Sch.1 para. 8. |
| 20 | 1985 c.51 Sch.1 para. 9. |
| 21(1) | 1985 c.51 Sch.1 para. 10(1). |
| (2) | 1985 c.51 Sch.1 para. 10(2); 1986 c.63 Sch.10 Pt.II para. 3. |
| (3) | 1985 c.51 Sch.1 para. 10(3). |
| 22 | 1985 c.51 Sch. 1 para. 10A; 1986 c.63 Sch. 10 Pt. II para. 4. |
| 23(1) | 1985 c.51 Sch.1 para. 12(1), and (7) (part). |
| (2) | 1985 c.51 Sch.1 para. 12(3). |
| (3), (4) | 1985 c.51 Sch.1 para. 12(2). |
| (5), (6) | 1985 c.51 Sch.1 para. 12(4). |
| (7), (8) | 1985 c.51 Sch.1 para. 12(5), (6). |
| (9) | 1985 c.51 Sch.1 para. 12(7)(a); 1986 c.63 Sch.11 para. 26. |
| (10) | 1985 c.51 Sch.1 para. 12(7)(b),(7A); 1986 c.63 Sch.11 para. 26. |
| (11) | 1985 c.51 Sch.1 para. 12(8). |
| 24 | 1985 c.51 Sch.1 para. 11. |
| 25 | 1985 c.51 Sch. 1 para. 13. |
| 26(1) | 1985 c.51 Sch.1 para. 14(1). |
| (2) | 1985 c.51 Sch.1 para. 14(1); R 3. |
| (3), (4) | 1985 c.51 Sch.1 para. 14(2), (3). |
| 27 | 1985 c.51 Sch.1 para. 15. |
| 28(1),(2) | 1985 c.51 s.4(1), Sch. 3, para 2(2)(part). |
| (3) | 1985 c.51 s.4(2), Sch.1 para. 18(1),20(2)(part) drafting. |
| (4) | 1985 c.51 s.103(1)(part). |
| 29 | Drafting. |

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|--------------|---|
| 30(1) | 1971 c.78 s.6(1)(part), (2). |
| (2) | 1971 c.78 s.6(3). |
| (3) | 1971 c.78 s.6(5)(part). |
| (4) | 1971 c.78 s.6(4). |
| 31(1) | Drafting. |
| (2) | 1971 c.78 s.7(1A); 1980 c.65 s.89, Sch.14 para. 2(a). |
| (3) | 1971 c.78 s.7(6); 1980 c.65 s.89, Sch.14 para. 2(c). |
| (4) | 1971 c.78 s.7(4); 1982 c.30. Sch 6 para 7. |
| (5) | 1971 c.78 s.7(7)(part). |
| 32(1), (2) | 1971 c.78 s.10(1); 1980 c.65 Sch.14 para. 5. |
| (3) to (7) | 1971 c.78 s.10(2) to (6); 1980 c.65 Sch.14 para. 5. |
| 33(1),(2) | 1971 c.78 ss.8(1),10(7); 1980 c.65 Sch.14 para. 3(a). |
| (3),(4) | 1971 c.78 s.8(2); 1980 c.65 Sch.14 para. 3(b). |
| (5) | 1971 c.78 s.8(3). |
| (6), (7) | 1971 c.78 s.8(4). |
| (8) to (10) | 1971 c.78 s.8(5) to (7). |
| 34(1) | 1971 c.78 s.10B(1); 1972 c.42 s.2; R 4. |
| (2) | 1971 c.78 s.10B(1); 1972 c.42 s.2; R 4. |
| (3) | 1971 c.78 s.10B(2); 1972 c.42 s.2; R 4. |
| (4), (5) | 1971 c.78 s.10B(3); 1972 c.42 s.2; R 4. |
| 35(1) | 1971 c.78 ss.9(1),10(7). |
| (2) | 1971 c.78 s.9(2). |
| (3) | 1971 c.78 s.9(3); 1972 c.42 s.3(1). |
| (4) | 1978 c.78 s.10(8) |
| (5) | 1971 c.78 s.9(4); 1972 c.42 s.3(1). |
| (6), (7) | 1971 c.78 s.9(5); 1972 c.42 s.3(1). |
| (8) to (10) | 1971 c.78 s.9(6) to (8); 1972 c.42 s.3(1). |
| 36(1) to (3) | 1971 c.78 s.11(1) to (3); 1986 c.63 Sch.10. |
| (4) to (5) | 1971 c.78 s.11(5); 1986 c.63 Sch.10. |

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| | |
|--------------|---|
| (6), (7) | 1971 c.78 s.11(6),(7); 1986 c.63 Sch.10. |
| 37 | 1971 c.78 s.11A; 1986 c.63 Sch. 10 Pt. I. |
| 38 | 1971 c.78 s.11B; 1986 c.63 Sch. 10 Pt. I. |
| 39(1) | 1971 c.78 s.12(1); 1986 c.63 Sch.10. |
| (2), (3) | 1971 c.78 s.12(2); 1986 c.63 Sch.10. |
| (4) to (6) | 1971 c.78 s.12(3) to (5); 1986 c.63 Sch.10. |
| 40(1) to (3) | 1971 c.78 s.12A(1) to (3); 1986 c.63 Sch.10 Pt. I. |
| (4), (5) | 1971 c.78 s.12A(4); 1986 c.63 Sch. 10 Pt. I. |
| 41 | 1971 c.78 s.12B; 1986 c.63 Sch. 10 Pt. I. |
| 42 | 1971 c.78 s.13; 1986 c.63 Sch. 10 Pt. I. |
| 43 | 1971 c.78 s.14; 1986 c.63 Sch. 10 Pt. I. |
| 44 | 1971 c.78 s.14A; 1986 c.63 Sch. 10 Pt. I. |
| 45 | 1971 c.78 s.14B; 1986 c.63 Sch. 10 Pt. I. |
| 46(1) | 1971 c.78 s.11(4); 1986 c.63 Sch. 10 Pt. I. |
| (2) to (6) | 1971 c.78 s.15; 1986 c.63 Sch. 10 Pt. I. |
| 47(1), (2) | 1971 c.78 s.15A(1); 1986 c.63 Sch.10. |
| (3) to (6) | 1971 c.78 s.15A(2) to (5); 1986 c.63 Sch.10. |
| 48 | 1971 c.78 s.15B; 1986 c.63 Sch. 10 Pt. I. |
| 49 | 1971 c.78 s.16; 1980 c.66 Sch.24 para. 20(a). |
| 50(1) | 1972 c.70 Sch.16 para. 9(1); 1980 c.65 Sch.14 para. 17. |
| (2) | 1972 c.70 Sch.16 paras. 8(3),9(2). |
| (3) | 1972 c.70 Sch.16 paras. 8(2),9(2); 1971 c.78 s.10(7); 1982 c.30 Sch.6 para. 7(a). |
| (4) | 1972 c.70 Sch.16 paras. 8(4), 9; R 5. |
| (5) | 1971 c.78 s.10B(1); 1972 (c.42) s.2. |
| (6) | 1972 c.70 Sch.16 para. 10; 1986 c.63 Sch.11 para. 23. |

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| (7) | 1972 c.70 Sch.16 para. 11; 1986 c.63 Sch.11 para. 23. |
| (8) | 1972 c.70 Sch.16 para. 12; 1986 c.63 Sch.11 para. 23. |
| (9) | 1972 c.70 Sch.16 para. 13; R 6. |
| 51(1) | 1971 c.78 s.17(1); 1972 c.70 Sch.16 paras.4, 52. |
| (2), (3) | 1971 c.78 s.17(2), (3). |
| (4) | 1971 c.78 s.17(4), (5). |
| 52(1), (2) | 1980 c.65 Sch.32 para. 23(1), (2). |
| (3) | 1980 c.65 Sch.32 para. 23(4). |
| 53(1)(2) | 1971 c.78 s.18(1), 1986 c.63 Sch.11 para. 15; 1972 c.70 Sch.16 paras.5, 52. |
| (3) to (5) | 1971 c.78 s.18(2) to (4). |
| 54(1) | 1971 c.78 s.20(1); 1980 c.66 Sch.24 para. 20. |
| (2) to (5) | 1971 c.78 s.20(3) to (5). |
| 55(1) | 1971 c.78 s.22(1). |
| (2) | 1971 c.78 s.22(2); 1986 c.63 Sch. 11 para. 1. |
| (3) | 1971 c.78 s.22(3). |
| (4) | 1971 c.78 s.22(3A); 1981 c.36 s.1(1). |
| (5) | 1971 c.78 s.22(4). |
| (6) | 1971 c.78 s.22(5). |
| 56(1) | 1971 c.78 s.290(5). |
| (2), (3) | 1971 c.78 ss. 24C(4), 24D(6), 24E(4), 43(1), 44(1); 1980 c.65 Sch.32 para. 26(1A); 1986 c.63 ss.25(1), 54 (2). |
| (4) | 1971 c.78 s.43(2). |
| (5) | 1971 c.78 s.43(3) (part). |
| (6) | 1971 c.78 s.43(3) (part). |
| 57(1) | 1971 c.78 s.23(1). |
| (2) | 1971 c.78 s.23(5). |
| (3) | 1971 c.78 s.23(8) (part). |
| (4) | 1971 c.78 s.23(9); 1982 c.30 s.47(1), Sch. 6 para. 7. |
| (5) | 1971 c.78 s.23(6), (8) (part). |
| (6) | 1971 c.78 s.23(10). |

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|--------------|---|
| (7) | 1971 c.78 s.23(1). |
| 58 | 1971 c.78 ss.24(1), (2), 24A(2), 40; 1980 c.65 Sch.32 para. 17. |
| 59(1) | 1971 c.78 s.24(1). |
| (2) | 1971 c.78 s.24(2). |
| (3) | 1971 c.78 s.24(3) (part); 1986 c.63 Sch. 11 para. 2. |
| 60(1) | 1971 c.78 s.24(4). |
| (2), (3) | 1971 c.78 s.24(5). |
| (4) | 1971 c.78 s.24(6). |
| 61(1) | 1971 c.78 s.24(3)(a); 1986 c.63 Sch. 11 para. 2. |
| (2) | 1971 c.78 s.24(7). |
| (3) | 1971 c.78 s.24(8); 1980 c.66 Sch. 24 para. 20(c). |
| 62 | 1971 c.78 s.25 |
| 63(1), (2) | 1971 c.78 s.32(1). |
| (3) | 1971 c.78 s.32(2)(part). |
| (4) | 1971 c.78 s.32(3). |
| (5) | 1971 c.78 s.32(2). |
| 64(1) | 1971 c.78 s.53(1) (part), (2)(part); 1980 c.65 Sch. 32 para. 18(3); 1986 c.63 Sch. 6 Pt II para. 3. |
| (2) | 1971 c.78 s.53(1) (part). |
| (3) | 1971 c.78 s.53(2). |
| 65(1) to (4) | 1971 c.78 s.26(1) to (4). |
| (5), (6) | 1971 c.78 s.26(5). |
| (7), (8) | 1971 c.78 s.26(6). |
| (9) | 1971 c.78 s.26(7). |
| 66(1) | 1971 c.78 s.27(1)(a), (b), (c), (d); 1980 c.65 Sch. 15 para. 2. |
| (2), (3) | 1971 c.78 s.27(2). |
| (4), (5) | 1971 c.78 s.27(3). |
| (6) | 1971 c.78 s.27(4). |
| (7) | 1971 c.78 s.27(7); 1978 c.30 s.17; 1980 c.65 Sch. 15 para. 3. |
| 67(1) | Drafting. |
| (2) | 1971 c.78 s.27(1A); 1981 c.36 s.4(2). |

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| (3) | 1971 c.78 s.27(1), (part)(1A); 1981 c.36 s.4(1). |
| (4) | 1971 c.78 s.27(1B); 1981 c.36 s.4(2). |
| (5), (6) | 1971 c.78 s.27(2) (part). |
| (7) | 1971 c.78 s.27(2A); 1981 c.36 s.4(4). |
| (8), (9) | 1971 c.78 s.27(2B); 1981 c.36 s.4(4). |
| (10) | 1971 c.78 s.27(2C); 1981 c.36 s.4(4). |
| (11) | 1971 c.78 s.27(2) to (4); drafting; R 7. |
| 68(1) | 1971 c.78 ss.26(8)(part), 27(5)(part). |
| (2) | 1971 c.78 s.26(8) (part), s.27(5) (part); 1982 c.48 ss.38, 46. |
| (3) | 1971 c.78 ss.26(9), 27(6) (part). |
| (4) | 1971 c.78 s.27(6) (part). |
| 69(1) | 1971 c.78 s.34(1) (part). |
| (2) | 1971 c.78 s.34(1) (part); 1986 c.63 Sch. 6, Pt II para. 1. |
| (3) | 1971 c.78 s.34(2) (part). |
| (4) | 1971 c.78 s.34(2) (part). |
| (5) | 1971 c.78 s.34(3). |
| 70(1) | 1971 c.78 s.29(1) (part); 1986 c.63 Sch. 11 Pt I para. 16. |
| (2) | 1971 c.78 s.29(1) (part). |
| (3) | 1971 c.78 s.29(1) (part), drafting. |
| 71(1) | 1971 c.78 s.29(2). |
| (2) | 1971 c.78 s.29(3); R 7. |
| (3) | 1971 c.78 s.29(5). |
| (4) | 1971 c.78 s.29(6). |
| 72(1) | 1971 c.78 s.30(1). |
| (2) | 1971 c.78 s.30(2). |
| (3) | 1971 c.78 s.30(3) (part). |
| (4) | 1971 c.78 s.30(3)(part); 1981 c.36 Sch.1 para. 1. |
| (5) | Drafting; 1971 c.78 s.30(2)(part); 1981 c.36 Sch.1 para. 1. |
| 73(1) | 1971 c.78 s.31A(1); 1986 c.63 Sch.11 para. 4. |
| (2) | 1971 c.78 s.31A(3); 1986 c.63 Sch.11 para. 4. |

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| (3) | 1971 c.78 s.31A(2); 1986 c.63 Sch.11 para. 4. |
| (4) | 1971 c.78 S.31A(4); 1986 c.63 Sch.11 para. 4. |
| 74(1) | 1971 c.78. s.31(1) (part); 1972 c.70 Sch. 16 para. 22; 1980 c.65 Sch. 15 para. 4(1). |
| (2) | 1971 c.78 s.31(1) (part). |
| 75(1) | 1971 c.78 s.33(1). |
| (2), (3) | 1971 c.78 s.33(2). |
| 76(1) | 1971 c.78 ss.29A(1) (part), 29B(1) (part); 1981 c.43 s.3; 1988 c.40 Sch.12 para. 70. |
| (2) | 1971 c.78 ss.29A(1) (part), (2); 29B(1) (part); 1981 c.43 s.3; 1986 c.63 Sch.11 para. 3, Sch. 12 Pt. III. |
| (3) | 1971 c.78 s.29B(1A); 1988 c.40 Sch.12 para. 70. |
| 77(1) to (3) | 1971 c.78 s.35(1) to (3). |
| (4) | 1971 c.78 s.35(4)(part); 1981 c.36 Sch.1 para. 2; 1986 c.63 Sch.11 para. 17. |
| (5), (6) | 1971 c.78 s.35(5). |
| (7) | 1971 c.78 s.35(6). |
| 78(1) | 1971 c.78 s.36(1); 1980 c.65 Sch. 15 para. 4(2). |
| (2) | 1971 c.78 s.37 (part); 1980 c.65 Sch. 15 para. 4(3). |
| (3) | 1971 c.78 s.36(2) (part). |
| (4) | 1971 c.78 ss.36(2) (part), 37 (part). |
| (5) | 1971 c.78 s.37 (part); R 8(a), (c), (d). |
| 79(1) | 1971 c.78 ss.36(3), 37. |
| (2), (3) | 1971 c.78 s.36(4). |
| (4) | 1971 c.78 s.36(5); 1981 c.36 Sch. 1 para. 3; 1986 c.63 Sch.11 para. 17. |
| (5) | 1971 c.78 s.36(6). |
| (6) | 1971 c.78 s.36(7); 1986 c.63 Sch. 11 para. 18. |
| (7) | 1971 c.78 s.36(8). |
| 80(1), (2) | 1971 c.78 s.38(1), (2). |

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|--------------|--|
| (3) | 1971 c.78 s.38(4). |
| (4) | 1971 c.78 s.38(3). |
| 81(1), (2) | 1971 c.78 s.39(1). |
| (3), (4) | 1971 c.78 s.39(2), (3). |
| 82 | 1971 c.78 s.24A(1) to (3); 1986 c.63 s.25(1). |
| 83(1) | 1971 c.78 s.24A(4)(a); 1986 c.63 s.25(1). |
| (2) | 1971 c.78 s.24A(4)(b); 1971 c.78 Sch.8A para. 2(1); 1986 c.63 s.25(1). |
| (3) | 1971 c.78 s.24A(5); 1986 c.63 s.25(1). |
| 84(1), (2) | 1971 c.78 s.24B(1); 1986 c.63 s.25(1). |
| (3), (4) | 1971 c.78 s.24B(2) (part); 1986 c.63 s.25(1). |
| 85 | 1971 c.78 s.24C(1), (2); 1986 c.63 s.25(1). |
| 86(1) to (5) | 1971 c.78 s.24D(1) to (5); 1986 c.63 s.25(1). |
| (6) | 1971 c.78 s.24D(6) (part); 1986 c.63 s.25(1). |
| 87(1) | 1971 c.78 s.24E(1); 1986 c.63 s.25(1); 1988 c.4 Sch.3 para. 10. |
| (2), (3) | 1971 c.78 s.24E(2), (3); 1986 c.63 s.25(1). |
| (4) | 1971 c.78 s.24E(4) (part); 1986 c.63 s.25(1). |
| 88(1) | 1980 c.65 Sch.32 paras. 5(4)(a), 17(1). |
| (2) | 1980 c.65 Sch.32 paras. 11(3), 17(2). |
| (3) to (6) | 1980 c.65 Sch.32 para. 17(3) to (6). |
| (7) | 1980 c.65 Sch.32 para. 25(1)(a), (b). |
| (8) | 1980 c.65 Sch.32 para. 25(2). |
| (9), (10) | 1980 c.65 Sch.32 para. 17(7), (8). |
| 89(1) | 1980 c.65 Sch.32 para. 21; 1986 c.63 s.54(1). |
| (2) | 1980 c.65 Sch.32 para. 22(1); 1986 c.63 s.54(1). |
| 90(1) | 1971 c.78 s.40(1) |
| (2) | 1989 c.29 Sch. 8 para. 7(1). |

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| (3) | 1971 c.78 s.40(2); 1989 c.29 Sch. 8 para. 7(3). |
| (4) | 1971 c.78 s.40(3) |
| (5) | 1989 c.29 Sch. 8 para. 7(4). |
| 91(1), (2) | 1971 c.78 s.41(1). |
| (3) | 1971 c.78 s.41(2). |
| (4) | 1971 c.78 s.41(3); 1980 c.65 Sch.32 para. 18(2); 1981 c.36 s.6; 1986 c.63 Sch.6 Pt II para. 2. |
| 92 | 1971 c.78 s.42 |
| 93 | 1971 c.78 s.43(4) to (7); 1989 c.29 Sch. 8 para 7(3). |
| 94(1) | 1971 c.78 ss.44(1), 24C(3); 1980 c.65 Sch. 32 para. 22(2); 1986 c.63 ss.25, 54(1). |
| (2), (3) | 1971 c.78 s.44(2). |
| (4) | 1971 c.78 s.44(3)(a). |
| (5), (6) | 1971 c.78 s.44(6). |
| 95(1), (2) | 1971 c.78 s.44(3)(b). |
| (3) | 1971 c.78 s.44(4). |
| (4), (5) | 1971 c.78 s.44(5). |
| 96(1), (2) | 1971 c.78 s.276(5); 1981 c.41 Sch. para. 24. |
| (3) | 1971 c.78 s.276(5) (part); 1981 c.41 Sch. para. 24. |
| 97(1), (2) | 1971 c.78 s.45(1). |
| (3) | 1971 c.78 s.45(4) (part). |
| (4) | 1971 c.78 s.45(4) (proviso). |
| (5) | 1971 c.78 s.45(5); 1981 c.36 s.8. |
| 98(1) | 1971 c.78 s.45(2) (part). |
| (2) to (5) | 1971 c.78 s.45(3). |
| (6) | 1971 c.78 s.45(2) (part). |
| 99(1) | 1971 c.78 s.46(1); 1974 c.7 Sch.6 para. 25(3), Sch.8. |
| (2) | 1971 c.78 s.46(1)(part), (2)(part). |
| (3) | 1971 c.78 s.46(3); 1974 c.7 Sch.8. |
| (4) | 1971 c.78 s.46(2)(a)(part). |
| (5) | 1971 c.78 s.46(2)(b)(part). |

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| (6) to (8) | 1971 c.78 s.46(4) to (6). |
| 100(1) to (3) | 1971 c.78 s.276(1); 1974 c.7 Sch. 6 para. 25(12), Sch. 8. |
| (4) to (6) | 1971 c.78 s.276(4). |
| (7) | 1971 c.78 s.276(2), (3). |
| (8) | 1971 c.78 s.45(5); R 9. |
| 101(1) | 1971 c.78 ss.47(1), 48(1) (part). |
| (2) | 1971 c.78 s.48(1). |
| (3) | 1971 c.78 s.48(2). |
| (4) | 1971 c.78 s.48(8); drafting. |
| (5) | 1971 c.78 s.47(6) (part). |
| 102(1) | 1971 c.78 s.51(1). |
| (2), (3) | 1971 c.78 s.51(2). |
| (4) | 1971 c.78 s.51(3) (part). |
| (5) | 1971 c.78 s.51(3) (part) and s.32(3). |
| (6) | 1971 c.78 s.51(8). |
| (7) | 1971 c.78 s.51(9). |
| (8) | 1971 c.78 s.51(1A); 1981 c.36 s.9; drafting. |
| 103(1) | 1971 c.78 s.51(4). |
| (2) | 1971 c.78 s.51(5). |
| (3) to (6) | 1971 c.78 s.51(6). |
| (7) | 1971 c.78 s.51(7). |
| (8) | 1971 c.78 s.51(9). |
| 104(1) | 1971 c.78 s.276(1) (part), (2) (part). |
| (2), (3) | 1971 c.78 s.276(1) (part). |
| (4) to (7) | 1971 c.78 s.276(4) (part). |
| (8) | 1971 c.78 s.276(2),(3). |
| 105(1) | 1971 c.78 s.264A(1); 1981 c.36 s.3. |
| (2) | 1971 c.78 s.264A(2); 1981 c.36 s.3. |
| 106(1) | 1971 c.78 s.52(1) (part). |
| (2) | 1971 c.78 s.52(1) (part). |
| (3), (4) | 1971 c.78 s.52(2), (3). |
| 107(1) | 1971 c.78 s.164(1); 1974 c.7, Sch. 6 para. 25(11), Sch. 8; 1981 c.36 ss.12, 34, Sch. 1 para. 4. |

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Changes to legislation: *Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)*

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| (2) to (5) | 1971 c.78 s.164(2) to (5). |
| 108(1) | 1971 c.78 s.165(1),(2) (part). |
| (2) | 1971 c.78 s.165(1A). |
| (3) | 1971 c.78 s.165(3); 1985 c.19 s.1(1). |
| 109(1) | 1971 c.78 s.166(1). |
| (2) | 1971 c.78 ss.165(2) (part), 166(2). |
| (3), (4) | 1971 c.78 ss.156(2),(3), 166(3). |
| (5) | 1971 c.78 s.166(4). |
| (6) | 1971 c.78 ss.165(2), 166(6). |
| 110(1) | 1971 c.78 s.166(5). |
| (2) | 1971 c.78 ss.158(4) (part), 166(5); 1972 c.70 s. 179(3). |
| (3) | 1971 c.78 ss.158(4) (part), 165(2) (part), 166(5). |
| (4) | 1971 c.78 ss.158(5), 166(5). |
| (5) | 1971 c.78 ss.158(6), 166(5). |
| 111(1) | 1971 c.78 ss.159(1), 168(1). |
| (2) | 1971 c.78 ss.159(2), 168(1). |
| (3) | 1971 c.78 ss.159(3), 168(1). |
| (4) | 1971 c.78 ss.165(2), 168(1),(proviso). |
| (5) | 1971 c.78 s.168(4). |
| 112(1) | 1971 c.78 ss.160(1), 168(1). |
| (2), (3) | 1971 c.78 ss.160(2), 168(1). |
| (4) | 1971 c.78 ss.160(3), 168(1). |
| (5) | 1971 c.78 ss.160(4), 168(1). |
| (6) | 1971 c.78 ss.160(5)(a), 168(1). |
| (7) | 1971 c.78 ss.160(5)(a) (part), 168(1). |
| (8) | 1971 c.78 ss.160(5)(b), 168(1). |
| (9), (10) | 1971 c.78 ss.160(6), 168(1). |
| (11) | 1971 c.78 s.168(2). |
| (12) | 1971 c.78 s.168(3). |
| (13) | 1971 c.78 s.168(3),(proviso). |
| 113 | 1971 c.78 ss. 165(2), 167. |
| 114(1) to (3) | 1971 c.78 s.169(1) to (3). |
| (4), (5) | 1971 c.78 s.169(4) (part). |

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Changes to legislation: Town and Country Planning Act 1990 is up to date with all changes known to be in force on or before 09 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)

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| (6) | 1971 c.78 s.169(6),(6A); 1985 c.19 s.1(2). |
| (7), (8) | 1971 c.78 s.169(7),(8). |
| 115(1) | 1971 c.78 s.170(1); 1981 c.36 s.34, Sch. 1 para. 5. |
| (2) | 1971 c.78 s.170(2); 1981 c.36 s.14. |
| (3), (4) | 1971 c.78 s.170(3),(4). |
| (5) | 1971 c.78 ss.170(1)(part), 170A (part); 1981 c.36 s.15, Sch. 1 para. 5; R 10. |
| (6) | 1971 c.78 ss.170(1), 170A (part); 1981 c.36 s.15; R 10. |
| 116 | Drafting. |
| 117(1) | 1971 c.78 s.178(1). |
| (2) | 1971 c.78 s.178(2); 1981 c.36 Sch. 1 para. 6. |
| (3) | 1971 c.78 s.178(3). |
| 118(1) | 1971 c.78 s.179(1) (part). |
| (2) | 1971 c.78 s.179(2) (part). |
| 119(1) | 1971 c.78 s.134(1), (2). |
| (2) | Drafting. |
| (3) | 1971 c.78 s.134(3). |
| (4) | 1971 c.78 s.134(4); 1972 c.70 Sch. 16 para. 33. |
| 120 | 1971 c.78 s.146. |
| 121(1) | 1971 c.78 s.147(1). |
| (2), (3) | 1971 c.78 s.147(2). |
| (4) | 1971 c.78 s.147(3). |
| (5) | 1971 c.78 s.147(4) (part). |
| (6) | 1971 c.78 s.147(4),(proviso); 1973 c.37 Sch. 8 para. 94. |
| (7) | 1971 c.78 s.147(5). |
| (8) | 1971 c.78 s.147(6). |
| 122(1) | 1971 c.78 s.148(1). |
| (2) | 1971 c.78 s.148(1),(proviso). |
| (3) | 1971 c.78 s.148(2). |
| (4) | 1971 c.78 s.148(3). |
| 123(1),(2) | 1971 c.78 s.149(1),(2); 1987 c.3 s.1. |

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| (3), (4) | 1971 c.78 s.149(3); 1987 c.3 s.1. |
| (5) | 1971 c.78 s.149(4); 1987 c.3 s.1. |
| 124 | 1971 c.78 s.150. |
| 125 | 1971 c.78 s.152. |
| 126 | 1971 c.78 s.153. |
| 127(1),(2) | 1971 c.78 s.154(1),(2)(part). |
| (3) | 1971 c.78 s.154(2),(proviso). |
| (4) | 1971 c.78 s.154(3). |
| (5), (6) | 1971 c.78 s.154(4). |
| (7), (8) | 1971 c.78 s.154(5). |
| 128 | 1971 c.78 s.155. |
| 129 | 1971 c.78 s.156. |
| 130 | 1971 c.78 s.157. |
| 131 | 1971 c.78 s.158(1) to (3). |
| 132(1),(2) | 1971 c.78 s.158(4); 1972 c.70 s. 179(3), Sch. 30. |
| (3) | 1971 c.78 s.158(5); 1975 c.76 Sch. 1. |
| (4) | 1971 c.78 s.158(6). |
| 133 | 1971 c.78 s.159. |
| 134(1) | 1971 c.78 s.160(1). |
| (2),(3) | 1971 c.78 s.160(2). |
| (4),(5) | 1971 c.78 s.160(3),(4). |
| (6) to (8) | 1971 c.78 s.160(5). |
| (9),(10) | 1971 c.78 s.160(6). |
| 135 | 1971 c.78 s.162; R 11. |
| 136(1) | 1971 c.78 s.163(1) (part). |
| (2) | 1971 c.78 s.163(1),(proviso). |
| (3) | 1971 c.78 s.163(2). |
| 137(1)(a) | 1971 c.78 s.180(1), (part). |
| (b) | 1971 c.78 s.188(1), (part). |
| (c) | 1971 c.78 s.189(1), (part). |
| (2)(a) | 1971 c.78 ss.180(1)(part),(7), 188(1)(part),(2)(part); 1972 c.70 s. 179(3), Sch.30. |
| (b) | 1971 c.78 s.189(1)(part),(2)(part); 1972 c.70 s. 179(3), Sch.30. |

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| (3) | 1971 c.78 ss.180(1)(part), 188(1)(part). |
| (4) | 1971 c.78 s.189(1)(part). |
| (5) | 1971 c.78 s.180(4); 1986 c.63 Sch.12 Pt.III. |
| (6) | 1971 c.78 s.180(5); R 12. |
| (7) | 1971 c.78 s.180(6); R 12, R 41. |
| (8) | 1971 c.78 s.189(5). |
| 138(1) | 1971 c.78 ss.180(2) (part), 188(2) (part), 189(2) (part). |
| (2) | 1971 c.78 ss.180(2) (part), 188(3) (part), 189(3) (part), 198(3) (part). |
| 139(1) | 1971 c.78 ss.181(1) (part), 188(2) (part), 189(2) (part); 1986 c.63 Sch.11 para. 5(1)(a). |
| (2) | 1971 c.78 s.181(1) (part), s.188(2) (part); s.189(2) (part). |
| (3) | 1971 c.78 s.181(2), s.188(2) (part) s.189(2) (part). |
| (4) | 1971 c.78 s.181(3), s.188(2) (part); s.189(2) (part), 1986 c.63 Sch. 11 para. 5(1)(b). |
| (5) | 1971 c.78 s.208. |
| 140(1) | 1971 c.78 ss.182(1), 188(2) (part), 189(2) (part). |
| (2) | 1971 c.78 s.182(2), s.188(2) (part), s.189(2) (part); 1972 c.70 Sch. 16 paras. 37, 52. |
| (3),(4) | 1971 c.78 s.182(3), s.188(2) (part), s.189(2) (part). |
| (5) | 1971 c.78 s.182(4), s.188(2) (part), s.189(2) (part). |
| 141(1) | 1971 c.78 ss.183(1), 188(2) (part), 189(2) (part), (3) (part); R 13(a). |
| (2) | 1971 c.78 ss.183(2), 188(2) (part), (3) (part), 189(2) (part), (3) (part). |
| (3) to (5) | 1971 c.78 s.183(3) to (5), s.188(2) (part), s.189(2) (part). |
| 142(1) | 1971 c.78 ss.184(1), 188(2) (part), 189(2) (part); 1986 c.63 Sch. 11 para. 6(a); R 13(b). |
| (2) | 1971 c.78 s.184(2). |

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| (3) | 1971 c.78 s.184(3); 1986 c.63 Sch. 11 para. 6(b). |
| 143(1) | 1971 c.78 ss.186(1), 188(2) (part), 189(2) (part). |
| (2),(3) | 1971 c.78 ss.186(2),(3), 188(2) (part), 189(2) (part). |
| (4) | 1971 c.78 ss.186(3A), 188(2) (part), 189(2) (part); 1986 c.63 Sch.11 para. 7(1). |
| (5),(6) | 1971 c.78 ss.186(4), 188(2) (part), 189(2) (part). |
| (7) | 1971 c.78 ss.186(5), 188(2) (part), 189(2) (part). |
| (8) | 1971 c.78 s.208. |
| 144(1) | 1971 c.78 ss.187(1), 188(2) (part), 189(2) (part). |
| (2) | 1971 c.78 s.187(2), s.188(2) (part), s.189(2) (part). |
| (3),(4) | 1971 c.78 ss.187(3), 188(2) (part), 189(2) (part). |
| (5),(6) | 1971 c.78 ss.187(4),(5), 188(2) (part), 189(2) (part). |
| (7) | 1971 c.78 s.189(4). |
| 145(1),(2) | 1973 c.26 s.53(1), (5). |
| (3),(4) | 1973 c.26 s.53(3),(4); 1981 c. 66 Sch. 3 para. 1. |
| (5) | 1973 c.26 s.53(2) |
| (6) | 1973 c.26 s.53(1),(2). |
| (7) | 1973 c.26 s.53(6). |
| 146(1),(2) | 1973 c.26 s.54(1). |
| (3) | 1973 c.26 s.54(2). |
| (4),(5) | 1973 c.26 s.54(3). |
| (6),(7) | 1973 c.26 s.54(4),(5). |
| (8),(9) | 1973 c.26 s.54(6). |
| (10),(11) | 1973 c.26 s.54(7),(8). |
| 147(1) | 1973 c.26 s.84(2). |
| (2) | 1973 c.26 s.87(1). |
| 148(1) | 1971 c.78 ss.181(4), 186(6), 191A; 1984 c.12 Sch. 4 para. 53(5). |

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| | |
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| (2) | R 13(c). |
| 149(1) | 1971 c.78 s.192(1) (part), drafting. |
| (2) | 1971 c.78 s.192(3),(4)(part),(5)(part). |
| (3) | 1971 c.78 s.192(4) (part); 190 SI/465. |
| (4) | 1971 c.78 s.192(4) (part), (5) (part). |
| (5) | 1971 c.78 s.192(6); 1973 c.26 s.82(2). |
| 150(1) | 1971 c.78 s.193(1); 1973 c.26 s.77. |
| (2),(3) | 1971 c.78 s.193(2). |
| (4) | 1971 c.78 s.193(4) |
| 151(1),(2) | 1971 c.78 s.194(1) |
| (3) | 1971 c.78 s.194(5) (part). |
| (4) | 1971 c.78 s.194(2); 1980 c.65 Sch.15 paras. 18,19; 1985 c.51 Sch.1 para. 16(2). |
| (5) | 1971 c.78 s.194(4); 1973 c.26 s.75(3) (a). |
| (6) | 1971 c.78 s.194(3). |
| (7) | 1973 c.26 s.76(2). |
| (8) | 1971 c.78 s.194(6); 1973 c.26 s.75(3) (b). |
| 152(1) | 1973 c.26 ss.68(6)(part), 69(3); 1985 c.51 Sch. 1 para. 17(4). |
| (2) | 1973 c.26 s.68(6)(part). |
| 153(1),(2) | 1971 c.78 s.195(1). |
| (3) to (7) | 1971 c.78 s.195(2) to (6). |
| (8) | 1973 c.26 s.68(6) (part). |
| 154(1),(2) | 1971 c.78 s.196(1). |
| (3) | 1971 c.78 s.196(2). |
| (4),(5) | 1971 c.78 s.196(3). |
| (6) | 1971 c.78 s.196(4). |
| 155 | 1971 c.78 s.199. |
| 156(1),(2) | 1971 c.78 s.198(1). |
| (3),(4) | 1971 c.78 s.198(2),(3). |
| 157(1),(2) | 1971 c.78 s.197; 1981 c.67 Sch.4 para. 1; 1985 c.71 Sch.2 para. 22. |
| (3),(4) | 1973 c.26 s.81(6),(7)(part). |
| 158(1),(2) | 1973 c.26 s.79(1). |

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| (3) | 1973 c.26 s.79(2). |
| 159(1) | 1973 c.26 s.80(1). |
| (2),(3) | 1973 c.26 s.80(2). |
| (4) to (8) | 1973 c.26 s.80(3) to (7). |
| 160(1) to (5) | 1973 c.26 s.81(1) to (5). |
| (6) | 1973 c.26 s.81(7). |
| 161(1) | 1971 c.78 s.200; 1973 c.26 s.81(8); R 14. |
| (2) | 1973 c.26 s.78(1). |
| (3) to (4) | 1973 c.26 s.78(2). |
| (5) | 1973 c.26 s.78(3). |
| 162(1) | 1971 c.78 s.201(1); 1973 c.26 s.77(1), (2). |
| (2),(3) | 1971 c.78 s.201(2). |
| (4) | 1971 c.78 s.201(3). |
| (5) | 1971 c.78 s.201(6). |
| 163(1) | 1971 c.78 s.201(4); 1973 c.26 s.78(4). |
| (2) | 1971 c.78 s.201(5); 1973 c.26 s.78(4). |
| 164 | 1971 c.78 s.204. |
| 165(1),(2) | 1973 c.26 s.72(4); 1980 c.65 s.147(4). |
| (3) | 1973 c.26 s.72(5); 1980 c.65 s.147(5); 1981 c.64 Sch.12 para. 11. |
| 166(1) | 1971 c.78 s.202(1),(2) (part). |
| (2) | 1971 c.78 s.202(2) (part). |
| 167 | 1971 c.78 s.208. |
| 168 | 1971 c.78 s.203. |
| 169(1) to (3) | 1971 c.78 s.205; 1984 c.12 Sch.4 para. 53(6). |
| (4) | 1973 c.26 s.72(3) (part); 1980 c.65 s.147(3) (part). |
| (5) | 1973 c.26 s.76(3) (part). |
| 170(1) | 1971 c.78 s.206(1). |
| (2) | 1971 c.78 s.206(2); 1985 c.51 Sch.1 para 17(6) (part). |
| (3) | 1973 c.26 s.68(10) (part); 1985 c.51 Sch.1 para. 17(6) (part). |
| (4) | 1973 c.26 s.71(3). |

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| (5) | 1973 c.26 s.72(3) (part); 1980 c.65 s.147(3) (part). |
| (6) | 1973 c.26 s.73(3); 1985 c.71 Sch.2 para. 24(8). |
| (7) | 1973 c.26 s.76(3) (part); 1980 c.66 Sch.24 para. 23. |
| (8) | 1973 c.26 s.70(3). |
| (9) | 1971 c.78 s.206(3). |
| (10) | 1971 c.78 s.206(4); 1980 c.66 Sch.24 para. 20. |
| (11),(12) | 1971 c.78 s.206(5),(6). |
| 171 | 1971 c.78 s.207; 1973 c.26 ss.82(5), 87(1); 1990 SI/465. |
| 172(1) to (4) | 1971 c.78 s.87(1) to (4); 1981 c.41 Sch. para. 1. |
| (5) | 1971 c.78 s.87(13). |
| (6) | 1971 c.78 s.87(5). |
| (7) | 1971 c.78 s.87(14). |
| (8) | 1971 c.78 s.87(15). |
| 173(1) | 1971 c.78 s.87(6). |
| (2) | 1971 c.78 s.87(7). |
| (3) | 1971 c.78 s.87(9). |
| (4) | 1971 c.78 s.87(10). |
| (5) | 1971 c.78 s.87(8). |
| (6) | 1971 c.78 s.87(11). |
| (7) | 1971 c.78 s.87(12). |
| (8) | 1971 c.78 s.87(16). |
| 174(1) | 1971 c.78 s.88(1); 1981 c.41 Sch. para. 1; 1984 c.10 s.4(2). |
| (2) to (4) | 1971 c.78 s.88(2) to (4), (5)(a). |
| (5) | 1971 c.78 s.88(9). |
| (6) | 1984 c.10 s.4(2). |
| 175(1) | 1971 c.78 s.88(5)(b) to (e). |
| (2) | 1971 c.78 s.88(5)(d). |
| (3) | 1971 c.78 s.88(7). |
| (4) | 1971 c.78 s.88(10). |
| (5) | 1971 c.78 s.110(2). |

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| (6) | 1971 c.78 s.88(11). |
| 176(1),(2) | 1971 c.78 s.88A(1),(2); 1981 c.41 Sch.para. 1. |
| (3) | 1971 c.78 s.88(6); 1981 c.41 Sch.para. 1. |
| (4) | 1971 c.78 s.88(8); 1981 c.41 Sch.para. 1. |
| (5) | 1971 c.78 s.88A(3); 1981 c.41 Sch.para. 1. |
| 177(1) | 1971 c.78 s.88B(1); 1981 c.41 Sch para 1. |
| (2) | 1971 c.78 s.88B(2). |
| (3) | 1971 c.78 s.88B(2); R 15. |
| (4) | 1971 c.78 s.88B(2). |
| (5) to (8) | 1971 c.78 s.88B(3). |
| 178(1),(2) | 1971 c.78 s.91(1),(2); 1981 c.41 Sch.para. 4. |
| (3) | 1971 c.78 s.91(3),(4); 1974 c.7 Sch.8. |
| (4) | 1971 c.78 s.91(3). |
| (5) | 1971 c.78 s.91(5). |
| (6) | 1971 c.78 s.111. |
| (7) | 1971 c.78 ss.89(6),90(10),91(1); drafting. |
| 179(1) | 1971 c.78 s.89(1); 1981 c.41 Sch.para. 2(1). |
| (2) | 1971 c.78 s.89(1); 1980 c.43 s.32(2); 1982 c.48 ss.46,74. |
| (3) | 1971 c.78 s.89(2). |
| (4) | 1971 c.78 s.89(3). |
| (5) | 1971 c.78 s.89(4); 1986 c.63 Sch.11 para. 13. |
| (6) | 1971 c.78 s.89(5). |
| (7), (8) | 1971 c.78 s.89(5); 1980 c.43 s.32(2); 1982 c.48 ss.46,74; 1986 c.63 Sch.11 para. 13. |
| 180(1) | 1971 c.78 s.92(1); 1981 c.41 Sch.para. 5 |
| (2),(3) | 1971 c.78 s.92(2),(3). |
| 181(1) | 1971 c.78 s.93(1); 1981 c.41 Sch.para. 7(1). |

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| (2) to (4) | 1971 c.78 s.93(2) to (4). |
| (5) | 1971 c.78 s.93(5); 1981 c.41 Sch.para. 7(2); 1982 c.48 s.46. |
| 182(1) to (3) | 1971 c.78 s.276(5A); 1981 c.41 Sch.para. 24. |
| (4) | 1971 c.78 s.276(5B)(part); 1981 c.41 Sch.para. 24; R 16. |
| 183(1),(2) | 1971 c.78 s.90(1); 1981 c.41 Sch.para. 3; 1977 c.29 s.1. |
| (3) to (5) | 1971 c.78 s.90(2); 1977 c.29 s.1. |
| (6) | 1971 c.78 s.90(5)(part); 1977 c.29 s.1. |
| (7) | 1971 c.78 s.90(6)(part); 1977 c.29 s.1. |
| 184(1) | 1971 c.78 s.90(1)(part); 1977 c.29 s.1. |
| (2),(3) | 1971 c.78 s.90(3); 1977 c.29 s.1. |
| (4),(5) | 1971 c.78 s.90(4); 1977 c.29 s.1. |
| (6) | 1971 c.78 s.90(5)(part); 1977 c.29 s.1. |
| (7) | 1971 c.78 s.90(6)(part); 1977 c.29 s.1. |
| (8) | 1971 c.78 s.90(9); 1977 c.29 s.1. |
| 185 | 1971 c.78 s.276(5); 1981 c.41 Sch.para. 24. |
| 186(1) to (5) | 1971 c.78 s.177; 1977 c.29 s.2. |
| (6),(7) | 1971 c.78 s.179. |
| 187(1) | 1971 c.78 s.90(7). |
| (2) | 1971 c.78 s.90(7); 1986 c.63 Sch.11 para. 13 |
| (3) | 1971 c.78 s.90(8). |
| 188(1) | 1971 c.78 s.92A(1); 1981 c.41 Sch.para. 6; 1985 c.51 s.3(4). |
| (2) | 1971 c.78 s.92A(3); 1981 c.41 Sch.para. 6; 1985 c.51 Sch.17. |
| (3) | 1971 c.78 s.92A(4); 1981 c.41 Sch.para. 6. |
| 189(1) to (3) | 1971 c.78 s.108(1) to (3); 1981 c.36 s.11. |
| (4),(5) | 1971 c.78 s.108(6),(7); 1981 c.36 s.11. |
| 190(1) | 1971 c.78 s.108(4)(part); 1981 c.36 s.11. |
| (2) | 1971 c.78 s.108(4)(part),(5)(part); 1981 c.36 s.11. |

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| (3) | 1971 c.78 s.108(4) (part); 1981 c.36 s.11. |
| (4) | 1971 c.78 s.111; R 17. |
| (5) | 1971 c.78 s.108(4)(part); 1981 c.36 s.11. |
| 191 | 1971 c.78 s.94(1) |
| 192(1) to (3) | 1971 c.78 s.94(2). |
| (4) | 1971 c.78 s.94(7); 1981 c.41 Sch.para. 8. |
| (5) | 1971 c.78 s.95(1)(part). |
| (6) | 1971 c.78 Sch.14 para. 6(part). |
| 193(1) | 1971 c.78 s.94(6); 1971 c.78 Sch.14 para. 1. |
| (2),(3) | 1971 c.78 Sch.14 para. 3(1). |
| (4) | 1971 c.78 Sch.14 para. 3(2); R 18. |
| (5) | 1971 c.78 Sch.14 para. 3(2)(part); 1982 c.48 ss.46,74. |
| (6) | 1971 c.78 s.94(8). |
| (7) | 1971 c.78 s.94(8)(part); 1980 c.43 s.32;1982 c.48 ss.46,74. |
| 194(1) | 1971 c.78 ss.94(4), 95(1) (part). |
| (2) | 1971 c.78 s.94(3). |
| (3) | 1971 c.78 Sch.14 para. 4(a),(b). |
| (4) | 1971 c.78 Sch.14 para. 4(c). |
| (5),(6) | 1971 c.78 Sch.14 para. 2. |
| 195(1) | 1971 c.78 ss.94(5),95(2). |
| (2) | 1971 c.78 s.95(2). |
| (3) | 1971 c.78 s.95(2)(b). |
| (4) | 1971 c.78 s.94(8); Sch.14 para 3(1). |
| (5) | R 8(a). |
| (6) | 1971 c.78 s.95(7). |
| 196(1) | 1971 c.78 s.95(4). |
| (2) | 1971 c.78 Sch.14 para. 5. |
| (3) | 1971 c.78 s.95(5). |
| (4) | 1971 c.78 Sch.14 para. 6(part). |
| (5) | 1971 c.78 s.95(3). |
| (6),(7) | 1971 c.78 s.95(6). |

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| 197 | 1971 c.78 s.59. |
| 198(1) | 1971 c.78 s.60(1); 1980 c.65 Sch.15 para. 13(1)(a), (2). |
| (2) | 1971 c.78 s.60(1) |
| (3) | 1971 c.78 s.60(1); 1974 c.32 s.10(1). |
| (4) | 1971 c.78 ss.60(2), 191(1). |
| (5) | 1971 c.78 s.60(3). |
| (6) | 1971 c.78 s.60(6); 1974 c.32 s.10(2)(a). |
| (7) | 1971 c.78 s.60(10); 1986 c.63 Sch.12 Pt II. |
| 199(1) | 1971 c.78 s.60(4); 1980 c.65 Sch.15 para. 13(1)(c). |
| (2) | 1971 c.78 s.60(5). |
| (3) | 1971 c.78 s.60(5); 1980 c.65 Sch.15 para. 13(1)(d), (2), Sch.34 Pt X. |
| 200(1) | 1971 c.78 s.60(7). |
| (2) | 1971 c.78 s.60(7); 1978 c.30 s.17(2)(a). |
| (3) | 1971 c.78 s.60(8); 1978 c.30 s.17(2)(a). |
| (4) | 1971 c.78 s.60(7),(9); 1978 c.30 s.17(2)(a). |
| 201(1) | 1971 c.78 s.61(1). |
| (2) | 1971 c.78 s.61(2); 1980 c.65 Sch.15 para. 14, Sch.34 Pt X. |
| 202(1),(2) | 1971 c.78 s.276(1),(2)(c); 1974 c.7 s.35, Sch.6 para. 25(12). |
| (3) | 1971 c.78 s.276(3). |
| 203 | 1971 c.78 s.174. |
| 204(1)(a) | 1971 c.78 s.175(1). |
| (b) | 1971 c.78 s.175(2); 1978 c.30 s.17(2)(a). |
| (2) to (4) | 1971 c.78 s.175(2) to (4). |
| 205 | 1971 c.78 s.179. |
| 206(1),(2) | 1971 c.78 s.62(1); 1974 c.32 s.10(2)(b); 1985 c.52 s.1(2). |
| (3) | 1971 c.78 s.62(1A); 1985 c.51 s.1(3). |
| (4) | 1971 c.78 s.62(2). |
| (5) | 1971 c.78 s.62(3)(part). |
| 207(1),(2) | 1971 c.78 s.103(1). |

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| (3),(4) | 1971 c.78 s.103(2). |
| (5) | 1971 c.78 s.62(3)(part). |
| 208(1),(2) | 1971 c.78 s.103(3); 1981 c.41 Sch. para. 12. |
| (3) | 1971 c.78 s.103(3A); 1981 c.41 Sch. para. 12. |
| (4) | 1971 c.78 s.103(3B); 1981 c.41 Sch. para. 12. |
| (5) | 1971 c.78 s.103(3C); 1981 c.41 Sch. para. 12. |
| (6) | 1971 c.78 s.103(3D); 1981 c.41 Sch. para. 12. |
| (7) | 1971 c.78 s.103(3E); 1981 c.41 Sch. para. 12. |
| (8) | 1971 c.78 s.103(3F); 1981 c.41 Sch. para. 12. |
| (9) | 1971 c.78 s.103(4). |
| (10) | 1971 c.78 s.110(2). |
| 209(1) | 1971 c.78 ss.103(5), 91(1); 1981 c.41 Sch. para. 4(a); 1972 c.70 Sch.16 paras. 29, 52. |
| (2) | 1971 c.78 ss.103(5), 91(2); 1981 c.41 Sch. para. 4(b) (i), (ii). |
| (3), (4) | 1971 c.78 ss.91(3),(4), 103(5); 1974 c.7 Sch.8. |
| (5) | 1971 c.78 ss.91(5), 103(5). |
| (6) | 1971 c.78 s.111. |
| 210(1) | 1971 c.78 s.102(1); 1974 c.32 s.10(3). |
| (2) | 1971 c.78 s.102(1); 1974 c.32 s.10(3); 1980 c.43 ss.32(9), 143(1). |
| (3) | 1971 c.78 s.102(1)(b); 1974 c.32 s.10(3). |
| (4) | 1971 c.78 s.102(2); 1974 c.32 s.10(4); 1982 (c.48) s.46(1). |
| (5) | 1971 c.78 s.102(3), 1974 c.32 s.10(5). |
| 211(1) to (3) | 1971 c.78 s.61A(1) to (3); 1974 c.32 s.8. |
| (4) | 1971 c.78 s.102(4); 1974 c.32 s.10(6). |
| 212(1) | 1971 c.78 s.61A(4); 1974 c.32 s.8. |
| (2), (3) | 1971 c.78 s.61A(5); 1974 c.32 s.8. |

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| (4) | 1971 c.78 s.61A(6); 1974 c.32 s.8. |
| 213(1),(2) | 1971 c.78 s.61A(8); 1974 c.32 s.8. |
| (3) | 1971 c.78 s.61A(9); 1974 c.32 s.8. |
| 214 | 1971 c.78 s.61A(7); 1974 c. 32 s. 8. |
| 215(1),(2) | 1971 c.78 s.65(1),(2); 1986 c.63 s.46. |
| (3),(4) | 1971 c.78 s.65(3); 1986 c.63 s.46. |
| 216(1) | 1971 c.78 s.104(1); 1981 c.41 Sch. para. 13. |
| (2) | 1971 c.78 s.104(2); 1981 c.41 Sch. para. 13; 1982 c.48 ss.38, 46 |
| (3) | 1971 c.78 s.104(3); 1981 c.41 Sch. para. 13. |
| (4) | 1971 c.78 s.104(4)(5); 1981 c.41 Sch. para. 13. |
| (5) | 1971 c.78 s.104(6); 1981 c.41 Sch. para 13. |
| (6) | 1971 c.78 s.104(7); 1981 c.41 Sch. para. 13; 1986 c.63 s.49(1), Sch.11 para. 13. |
| (7) | 1971 c.78 s.104(8); 1981 c.41 Sch. para. 13. |
| 217(1) | 1971 c.78 s.105(1); 1986 c.63 s.49, Sch.11 para. 20. |
| (2) to (5) | 1971 c.78 s.105(2) to (5). |
| (6) | 1971 c.78 s.110(2). |
| 218 | 1971 c.78 s.106; 1981 c.41 Sch. para. 14. |
| 219(1) | 1971 c.78 s.107(1); 1981 c.41 Sch. para. 15. |
| (2) | 1971 c.78 s.107(2); 1981 c.41 Sch. para. 15. |
| (3) to (5) | 1971 c.78 s.107(3). |
| (6) | 1971 c.78 s.111. |
| 220(1),(2) | 1971 c.78 s.63(1),(2). |
| (3) | 1971 c.78 ss.63(2)(c), 191(1). |
| (4) | 1971 c.78 s.63(7). |
| (5) | 1971 c.78 s.63(7); R 19. |
| 221(1) | 1971 c.78 s.63(3); 1974 c.32 s.3(1); 1986 c.63 s.45. |

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| (2) | 1971 c.78 s.63(3A); 1986 c.63 s.45. |
| (3),(4) | 1971 c.78 s.63(3B); 1986 c.63 s.45. |
| (5) | 1971 c.78 s.63(4). |
| (6) | 1971 c.78 s.63(5). |
| (7) to (9) | 1971 c.78 s.63(6). |
| 222 | 1971 c.78 s.64. |
| 223(1) | 1971 c.78 s.176. |
| (2) | 1971 c.78 s.179(1); 1981 c.36 s.17. |
| (3) | 1971 c.78 s.179(2). |
| 224(1),(2) | 1971 c.78 s.109(1). |
| (3) | 1971 c.78 s.109(2); 1981 c.41 Sch. para 16; 1982 c.48 s.46; 1986 c.63 s.49(1), Sch.11 para. 13. |
| (4),(5) | 1971 c.78 s.109(3). |
| 225(1) | 1971 c.78 s.109A(1),(6); 1982 c.30 s.36(a). |
| (2) | 1971 c.78 s.109A(2); 1982 c.30 s.36(a). |
| (3) | 1971 c.78 s.109A(3),(6); 1982 c.30 s.36(a). |
| (4),(5) | 1971 c.78 s.109A(4),(5). |
| 226(1) to (4) | 1971 c.78 s.112(1)(1A) to (1C); 1980 c.65 s.91(1). |
| (5) | 1971 c.78 s.112(2). |
| (6) | 1971 c.78 s.112(3); 1972 c.70 s. 179(3), Sch. 30. |
| (7) | 1971 c.78 s.112(4); 1981 c.67 Sch. 6 Pt. I; 1981 c.67 Sch. 4 para. 1. |
| (8) | 1971 c.78 s.112(5); 1972 c.70 s. 179(3), Sch. 30. |
| 227(1) | 1971 c.78 s.119(1)(a); 1972 c.70 s. 179(3), Sch. 30. |
| (2) | 1971 c.78 s.119(3). |
| 228(1) | 1971 c.78 s.113(1); 1980 c.65 s.122(2). |
| (2) | 1980 c.65 s.122(1). |
| (3) | 1971 c.78 s.113(2). |
| (4) | 1971 c.78 s.113(2) (proviso); 1981 c.67 Sch. 4 para. 1. |
| (5),(6) | 1980 c.65 s.122(3). |

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| (7) | 1971 c.78 s.113(3); 1981 c.67 Sch. 4 para. 1, Sch. 6 Pt. I. |
| 229(1) | 1971 c.78 s.121(1). |
| (2) | 1971 c.78 s.121(1); 1980 c.65 Sch. 34 Pt. XIII. |
| (3) | 1971 c.78 s.121(2); 1981 c.67 Sch. 4, para. 21(6). |
| (4) to (6) | 1971 c.78 s.121(4) to (6). |
| 230 | 1971 c.78 s.120. |
| 231(1) | 1971 c.78 s.276(6)(a); 1972 c.70 s. 179. |
| (2) | 1971 c.78 s.276(6)(b). |
| (3) | 1971 c.78 s.276(7). |
| 232(1) | 1971 c.78 s.122(1). |
| (2) to (4) | 1971 c.78 s.122(2)(2A)(2B); 1980 c.65 Sch. 23 para. 10. |
| (5),(6) | 1971 c.78 s.122(4),(5); 1972 c.70 s.272(2). |
| 233(1) to (4) | 1971 c.78 s.123(1),(2),(2A); 1980 c.65 Sch. 23 para. 11, Sch. 34, Part XIII. |
| (5) to (7) | 1971 c.78 s.123(7). |
| (8) | 1971 c.78 s.123(9); 1972 c.70 s.272(2). |
| 234 | 1980 c.65 s.122(6). |
| 235(1) | 1971 c.78 s.124(1), (5). |
| (2) | 1971 c.78 s.124(2). |
| (3) | 1971 c.78 s.124(1), (5). |
| (4) | 1971 c.78 s.124(6); 1974 c.7 s.35, Sch. 6 para. 25(9). |
| (5) | 1971 c.78 s.124(6) (proviso), (7). |
| (6) | 1971 c.78 s.124(8); 1972 c.5 Sch. 3; 1982 c.52 s.19(1), Sch. 2 para. 7(2). |
| 236(1) | 1971 c.78 s.118(1). |
| (2) | 1971 c.78 s.118(2); 1984 c.12 Sch. 4 para. 53(3). |
| (3) to (5) | 1971 c.78 s.118(3) to (5). |
| 237(1),(2) | 1971 c.78 s.127(1),(2). |
| (3) | 1971 c.78 s.127(1) (proviso); 1984 c.12 Sch. 4 para. 53(4). |
| (4) | 1971 c.78 s.127(3). |

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| (5),(6) | 1971 c.78 s.127(4). |
| (7) | 1971 c.78 s.127(5). |
| 238(1),(2) | 1971 c.78 s.128(1) (part). |
| (3),(4) | 1971 c.78 s.128(2). |
| (5) | 1971 c.78 s.128(3). |
| (6) | 1971 c.78 s.128(7) (part). |
| 239(1),(2) | 1971 c.78 s.128(4). |
| (3) | 1971 c.78 s.128(7) (part). |
| 240(1),(2) | 1971 c.78 s.128(5), (6). |
| (3) | 1971 c.78 s.128(8), (1) (part). |
| 241 | 1971 c.78 s.129. |
| 242 | 1971 c.78 s.130; 1973 c.26 Sch. 3; 1978 c.30 s.17(2)(a); 1989 c.42 Sch.11 para 19. |
| 243(1) | 1971 c.78 s.131(1). |
| (2),(3) | 1971 c.78 s.131(2) |
| (4) | 1971 c.78 s.131(3). |
| 244(1) | 1980 c.65 s.119(1); 1982 c.30 s.35(a). |
| (2) | 1980 c.65 s.119(2); 1982 c.30 s.35(b). |
| (3) | 1980 c.65 s.119(3); 1982 c.30 s.35(c) |
| (4) | 1980 c.65 s.119(4); 1982 c.30 s.35(d). |
| 245(1) | 1971 c.78 s.132(1); 1981 c.67 Sch. 4 para. 21(7)(a). |
| (2) | 1971 c.78 s.132(2); 1981 c.67 Sch. 4 para. 21(7)(b). |
| (3) | 1971 c.78 s.132(3); 1981 c.67 Sch. 4 para. 21(7)(c). |
| (4) | 1971 c.78 s.132(4). |
| 246 | 1971 c.78 s.133. |
| 247(1) | 1971 c.78 s.209(1); 1980 c.65 Sch. 32 para. 18(4). |
| (2) | 1971 c.78 s.209(2)(part). |
| (3) | 1971 c.78 s.209(2); 1972 c.70 Sch. 16 para. 39; 1980 c.66 Sch. 24 para. 20; 1985 c.51 Sch. 4 para. 50(a), Sch. 17. |
| (4) | 1971 c.78 s.209(3). |
| (5) | 1971 c.78 s.209(4). |

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| (6) | 1971 c.78 s.209(5); 1981 c.67 Sch. 4 para. 21(8). |
| 248(1),(2) | 1971 c.78 s.211(1). |
| (3) | 1971 c.78 s.211(2); R 20. |
| 249(1) | 1971 c.78 s.212(1); 1974 c.7 Sch. 8. |
| (2) | 1971 c.78 s.212(2); 1972 c.70 Sch.16 paras. 41(1),(2),52. |
| (3) | 1971 c.78 s.212(3); 1972 c.70 Sch.16 paras.41(1),(3),52. |
| (4) | 1971 c.78 s.212(3). |
| (5) | 1971 c.78 s.212(4). |
| (6) | 1971 c.78 s.212(8). |
| (7) | 1971 c.78 s.212(8A); 1982 c.30 Sch.5 para. 2. |
| (8) | 1971 c.78 s.212(2),(8); 1972 c.70 Sch.16 paras. 41(1),(5),52. |
| (9) | 1971 c.78 s.212(9). |
| 250(1),(2) | 1971 c.75 s.212(5); 1972 c.70 Sch.16 paras.41(4),52. |
| (3) | 1971 c.78 s.212(6); 1972 c.70 Sch.16 paras.41(4),52. |
| (4) to (7) | 1971 c.78 ss.212(7), 178, 179; 1972 c.70 Sch.16 paras.41(4),52. |
| 251(1) | 1971 c.78 s.214(1)(a). |
| (2) | 1971 c.78 s.214(2). |
| (3) | 1971 c.78 s.214(3); 1988 c.4 Sch.3 para. 22. |
| 252(1) | 1971 c.78 s.215(1). |
| (2) | 1971 c.78 s.215(2)(a), (7A)(part); 1986 c.44 Sch.7 para. 2(2)(c); 1989 c.15 Sch.25 para 42(1). |
| (3) | 1971 c.78 s.215(2)(b). |
| (4),(5) | 1971 c.78 s.215(3). |
| (6) | 1971 c.78 s.215(4). |
| (7) | R 21. |
| (8) | 1971 c.78 s.215(5). |
| (9) | 1971 c.78 s.215(6). |
| (10),(11) | 1971 c.78 s.215(7). |

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| (12) | 1971 c.78 s.215(7A) (part),(8); 1972 c. 70 s.179(3); 1985 c.51 Sch.14 para. 48(a), Sch.17; 1988 c.40 Sch.13; 1988 c.50 Sch.17 para. 18; 1989 c.15 Sch.25 para 42(1); 1989 c.29 Sch.16 para 2(5) (b). |
| 253(1) | 1971 c.78 s.216(1) |
| (2) | 1971 c.78 s.216(2); 1987 c.3 Sch.1 para. 19. |
| (3) | 1971 c.78 s.216(3). |
| (4) | 1971 c.78 s.216(4); 1972 c.70 Sch.30; 1985 c.51, Sch.4 para. 50(b); 1988 c.40 Sch.12 para 40. |
| (5) | 1971 c.78 s.216(5). |
| 254(1) | 1971 c.78 s.218(1); R 22. |
| (2) | 1971 c.78 s.218(2); 1981 c.67 Sch.4 para. 1, Sch.6 Pt.I. |
| 255 | 1971 c.78 s.219. |
| 256(1),(2) | 1971 c.78 s.220(1); 1984 c.12 Sch.4 para. 53(7). |
| (3),(4) | 1971 c.78 s.220(2); 1984 c.12 Sch.4 para. 53(7). |
| (5) | 1971 c.78 s.220(6); 1984 c.12 Sch.4 para. 53(7). |
| (6) | 1971 c.78 s.220(7); 1984 c.12 Sch.4 para. 53(7). |
| 257(1) to (3) | 1971 c.78 s.210(1) to (3). |
| (4) | 1971 c.78 s.210(4); 1972 c.70 Sch.16 para. 40. |
| 258(1) | 1971 c.78 s.214(1). |
| (2) | 1971 c.78 s.214(2). |
| (3) | 1971 c.78 s.214(3); 1988 c.4 Sch.3 para. 22. |
| 259 | 1971 c.78 s.217. |
| 260(1) | 1971 c.78 s.220(3)(part),(4);1984 c.12 Sch.4 para. 53(7). |
| (2) | 1971 c.78 s.220(4)(part); 1984 c.12 Sch.4 para. 53(7), drafting. |
| (3) | 1971 c.78 s.220(3)(a); 1984 c.12 Sch.4 para 53(7). |

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| (4) | 1971 c.78 s.220(3)(b); 1984 c.12 Sch.4 para. 53(7). |
| (5) | 1971 c.78 s.220(3)(c); 1984 c.12 Sch.4 para. 53(7). |
| (6) | 1971 c.78 s.220(3)(d); 1984 c.12 Sch.4 para. 53(7). |
| (7) | 1971 c.78 s.220 (3)(e); 1984 c.12 Sch.4 para. 53(7). |
| (8) | 1971 c.78 s.220(5); 1984 c.12 Sch.4 para. 53(7). |
| (9) | 1971 c.78 s.220(6),(7); 1984 c.12 Sch.4 para. 53(7). |
| 261(1) | 1951 c.60 s.32(1); 1971 c.78 s.221(1), (3). |
| (2) | 1951 c.60 s.32(1); 1971 c.78 s.221(1), (3). |
| (3) | 1951 c.60 s.32(2); 1971 c.78 s.221(1), (3). |
| (4) | 1951 c.60 s.32(3); 1971 c.78 s.221(2), (3). |
| (5) | 1958 c.69 s.13(5) 1986 c.63 Sch.8 para. 4. |
| 262(1) | 1971 c.78 s.290(1); 1986 c.31 Sch.2 para. 1(1); 1986 c.44 Sch.9; 1989 c.15 Sch.25 para. 42(3); 1989 c.29 Sch.18. |
| (2) | 1971 c.78 s.290(1); 1986 c.31 Sch.2 para. 1(1). |
| (3) to (5) | 1969 c.48 Sch.4 para. 93(1)(xxxiii), (4)(ii); 1980 c.65 Sch.33 para. 12; 1981 c.38 Sch.3 para. 10(2)(c); 1982 c.16 Sch.2 paras.4, 5(c); 1986 c.44 Sch.7 para. 2(1); 1986 c.63 Sch.7 para. 9; 1989 c.15 Sch.25 para. 1(2). |
| (6), (7) | 1989 c.29 Sch.16 paras. 1(1)(xxii), (xxiv), (xxv), 2(2)(c), (4)(c). |
| 263(1),(2) | 1971 c.78 s.222. |
| (3), (4) | 1969 c. 48 Sch.4 para. 93(4); 1982 c.16 Sch.2 para 5, Sch.13 Part III para. 1. |
| 264(1) | 1971 c.78 s.223(1). |
| (2) | 1971 c.78 s.223(1)(part), (2)(part); 1969 c.48 Sch.4 para. 89(1). |
| (3) | 1971 c.78 s.223(2)(a). |

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| (4) | 1971 c.78 s.223(2)(b); 1984 c.32 Sch.6 para. 9; 1986 c.44; Sch.7 para. 12; 1986 c.31 Sch.4 para. 1; 1989 c.15 Sch.25 para. 42(2). |
| (5), (6) | 1971 c.78 s.223(3). |
| (7) | 1969 c.48 Sch.4 para. 89(2). |
| (8) | 1982 c.16 Sch.2 para. 6(1). |
| 265(1) | 1971 c.78 s.224(1); 1986 c.31 Sch. 2 para. 1(2), Sch.6; 1986 c.44 Sch.7 para 2(1); 1989 c.15 Sch.27. |
| (2) | 1986 c.44 Sch.7 para. 2(9); 1989 c.29 Sch.16 para. 3(1)(d). |
| (3) | 1989 c.15 Sch.25 para. 1(9),(10). |
| (4) | 1971 c.78 s.224(2). |
| 266(1) | 1971 c.78 s.225(1); 1981 c.41 Sch. para. 17. |
| (2) | 1971 c.78 s.225(2). |
| (3) | 1971 c.78 s.225(3). |
| (4) | 1971 c.78 s.225(5). |
| (5) | 1982 c.16 Sch.2 para. 6(2). |
| 267 | 1971 c.78 s.225(4). |
| 268(1) | 1971 c.78 s.226(1). |
| (2) | 1971 c.78 s.226(1). |
| (3) | 1971 c.78 ss.40(3), 226(2). |
| 269 | 1971 c.78 s.227; R 23. |
| 270 | 1971 c.78 s.228; R 23; R 24. |
| 271(1), (2) | 1971 c.78 s.230(1). |
| (3) | 1971 c.78 s.230(2). |
| (4) | 1971 c.78 s.230(3). |
| (5) | 1971 c.78 s.230(4). |
| (6) | 1971 c.78 s.230(5). |
| (7) | 1971 c.78 s.230(6). |
| (8) | 1971 c.78 s.230(1)(part). |
| 272(1) | 1971 c.78 s.230(1),(7); 1984 c.12 Sch.4 para. 53(9). |
| (2) | 1971 c.78 s.230(1),(7); 1984 c.12 Sch.4 para. 53(9). |

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| (3) | 1971 c.78 s.230(2),(7); 1984 c.12 Sch.4 para. 53(9). |
| (4) | 1971 c.78 s.230(3),(7); 1984 c.12 Sch.4 para. 53(9). |
| (5) | 1971 c.78 s.230(4),(7); 1984 c.12 Sch.4 para. 53(9). |
| (6) | 1971 c.78 s.230(5),(7); 1984 c.12 Sch.4 para. 53(9). |
| (7) | 1971 c.78 s.230(6), (7); 1984 c.12 Sch.4 para. 53(9). |
| (8) | 1971 c.78 s.230(1)(part),(7); 1984 c.12 Sch.4 para. 53(9). |
| 273(1) to (6) | 1971 c.78 s.232(1) to (6). |
| (7),(8) | 1971 c.78 s.232(7); 1984 c.12 s.109, Sch.4 para. 53(10). |
| 274 | 1971 c.78 ss.231, 230(7); 1984 c.12 Sch. 4 para. 53(9) |
| 275 | 1971 c.78 s.233. |
| 276(1), (2) | 1971 c.78 s.234(1). |
| (3) | 1971 c.78 s.234(2). |
| 277(1), (2) | 1971 c.78 s.235(1),(2). |
| (3),(4) | 1971 c.78 s.235(3). |
| (5) | 1971 c.78 s.235(4). |
| (6) | 1971 c.78 s.235(5). |
| (7) | 1971 c.78 s.235(6). |
| (8) | 1971 c.78 s.235(7). |
| 278(1) to (5) | 1971 c.78 s.236(1) to (5). |
| (6),(7) | 1971 c.78 s.236(6). |
| (8),(9) | 1971 c.78 s.236(7). |
| (10) | 1971 c.78 s.236(8). |
| (11) | 1971 c.78 s.236(2) proviso. |
| 279(1) | 1971 c.78 s.237(1). |
| (2) | 1971 c.78 s.237(2). |
| (3) | 1971 c.78 ss.230(7), 237(2); 1984 c.12 Sch.4 para. 53(9). |
| (4) | 1971 c.78 s.237(3). |
| (5),(6) | 1971 c.78 s.237(4). |

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| (7) | 1971 c.78 s.237(5); 1986 c.63 Sch.12 Pt.III. |
| 280(1) | 1971 c.78 ss.238(1), 230(7); 1981 c.36 Sch.1 para. 7; 1984 c.12 Sch.4 para. 53(9). |
| (2), (3) | 1971 c.78 s.238(2); 1984 c.12, Sch.4 para. 53(9). |
| (4), (5) | 1971 c.78 s.238(3); 1984 c.12 Sch.4 para. 53(9). |
| (6) | 1971 c.78 s.238(4). |
| (7) | 1971 c.78 s.238(5). |
| (8) | 1971 c.78 s.238(6); 1981 c.67 Sch.4 para. 21(9). |
| 281(1),(2) | 1971 c.78 s.239(1). |
| (3) | 1971 c.78 s.239(2). |
| (4) | 1971 c.78 s.239(3). |
| 282 | 1971 c.78 s.240. |
| 283 | 1971 c.78 s.241. |
| 284(1) | 1971 c.78 s.242(1); 1985 c.51 Sch.1 para. 16(3); 1986 c.63 Sch.6 Pt.II para. 4. |
| (2) | 1971 c.78 s.242(2); 1981 c.36 Sch.1 para. 8 |
| (3) | 1971 c.78 s.242(3); 1982 c.30 Sch.6 para. 7(b). |
| (4) | 1971 c.78 s.242(4). |
| 285(1) | 1971 c.78 s.243(1); 1981 c.41 Sch. para. 18(1). |
| (2) | 1971 c.78 s.243(2); 1981 c.41 Sch. para. 18(2). |
| (3) | 1971 c.78 s.243(3). |
| (4) | 1971 c.78 s.243(4). |
| (5),(6) | 1971 c.78 s.243(5). |
| 286(1) | 1972 c.70 Sch.16 paras.51(1),54(6). |
| (2) | 1972 c.70 Sch.16 para. 51(2); 1981 c.41 Sch. para. 28(d) |
| 287(1) | 1971 c.78 s.244(1),(6); 1985 c.51 Sch.1 para. 16(4). |
| (2) | 1971 c.78 s.244(2). |

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| (3) | 1971 c.78 s.244(3) to (7); 1986 c.63 Sch.6 Pt.II para. 5. |
| (4) | 1971 c.78 s.244(1) (part). |
| (5) | 1971 c.78 s.244(1),(3) to (7); 1986 c.63 Sch.6 Pt.II para. 5; R 25(a). |
| (6) | 1971 c.78 s.244(7)(a); 1986 c.63 Sch.6 Pt.II para. 5. |
| 288(1) | 1971 c.78 s.245(1). |
| (2) | 1971 c.78 s.245(2). |
| (3) | 1971 c.78 s.245(1)(2); R 25(b). |
| (4) | 1971 c.78 s.245(3) |
| (5),(6) | 1971 c.78 s.245(4). |
| (7) | 1971 c.78 s.245(5). |
| (8) | 1971 c.78 s.245(6). |
| (9) | 1971 c.78 s.245(7). |
| (10) | 1971 c.78 s.245(7); 1972 c.70 Sch.16 para. 46; R 26. |
| 289(1) | 1971 c.78 s.246(1); 1981 c.41 Sch. para. 19. |
| (2) | 1971 c.78 s.246(1A); 1981 c.41 Sch. para. 19. |
| (3) | 1971 c.78 s.246(2). |
| (4) | 1971 c.78 s.246(2); 1981 c.54 Sch.5. |
| (5) | 1971 c.78 s.246(3). |
| (6) | 1971 c.78 s.246(4); 1977 c.38 Sch.5 Pt.IV. |
| (7) | 1971 c.78 s.246(5). |
| 290 | 1971 c.78 s.247; R 8(b). |
| 291 | 1971 c.78 s.248. |
| 292 | 1971 c.78 s.249. |
| 293(1) to (3) | 1971 c.78 ss.266(7), 268(4); 1984 c.10 s.6(1), (2) |
| (4) | 1984 c.10 s.4(1). |
| 294(1) | 1971 c.78 s.266(3); 1981 c.41 Sch. para 20(b). |
| (2) | 1984 c.10 s.3(1). |
| (3) | 1984 c.10 s.3(2). |
| (4) | 1984 c.10 s.3(3). |

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| (5) | 1984 c.10 s.3(4). |
| (6), (7) | 1984 c.10 s.3(5). |
| 295(1), (2) | 1984 c.10 s.3(6). |
| (3), (4) | 1984 c.10 s.3(7). |
| (5),(6) | 1984 c.10 s.3(8). |
| 296(1) | 1971 c.78 s.266(1); 1985 c.51 Sch.1 para. 16(6). |
| (2) | 1971 c.78 s.266(2); 1981 c.36 Sch.1 para. 9; 1981 c.41 Sch. para. 20(a). |
| (3), (4) | 1971 c.78 s.266(5). |
| (5) | 1971 c.78 s.266(6). |
| 297(1), (2) | 1971 c.78 s.267(1). |
| (3) | 1971 c.78 s.267(2). |
| (4) | 1971 c.78 s.267(3). |
| 298 | 1971 c.78 s.268. |
| 299(1) to (5) | 1984 c.10 s.1(1) to (5). |
| (6) | 1984 c.10 s.1(7). |
| (7) | 1984 c.10 s.1(6)(part). |
| 300(1) | 1984 c.10 s.2(1). |
| (2) | 1984 c.10. s.2(2). |
| (3), (4) | 1984 c.10 s.2(3). |
| (5) | 1984 c.10 s.2(4). |
| (6), (7) | 1984 c.10 s.2(5). |
| 301(1) to (4) | 1984 c.10 s.5(1) to (4). |
| (5) | 1984 c.10 s.5(6). |
| 302(1), (2) | 1946 c.35 ss.1(2), 7(6). |
| (3) | 1946 c.35 s.2(1) to (3). |
| (4) | 1946 c.35 s.4(1). |
| (5) | Drafting |
| (6) | 1946 c.35 ss.1(2), (3), (5), 2(1), 4(1), 7(1), (6); 1989 c.43 Sch 2 para. 11. |
| (7) | 1946 c.35 s.7(3). |
| (8) | 1946 c.35 s.7(6). |
| 303 (1) | 1980 c.65 s.87(1). |
| (2) | 1980 c.65 s.87(2)(a). |
| (3) | 1980 c.65 s.87(3). |

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| (4) | 1980 c.65 s.87(4). |
| (5) | 1980 c.65 s.87(6). |
| 304 | 1971 c.78 s.253. |
| 305 | 1971 c.78 s.254. |
| 306(1) | 1971 c.78 s.255(1); 1980 c.66 Sch.24 para. 20(g) |
| (2) | 1971 c.78 s.255(2); 1985 c.51 Sch.1 para. 16(5); R 27(a) and (b). |
| (3) | 1971 c.78 s.255(3). |
| (4) | 1971 c.78 s.255(4). |
| (5) | 1971 c.78 s.255(5). |
| 307 | 1971 c.78 s.256; 1972 c.70 s. 179(3), Sch.30; 1980 c.65 Sch.15 para. 22. |
| 308(1),(2) | 1971 c.78 s.257(1),(2). |
| (3) to (6) | 1971 c.78 s.257(3) to (6). |
| 309(1) to (5) | 1971 c.78 s.258(1) to (5). |
| (6),(7) | 1971 c.78 s.258(6). |
| 310 | 1971 c.78 s.259. |
| 311 | 1971 c.78 s.260. |
| 312(1) | 1971 c.78 s.261(1). |
| (2) | 1971 c.78 s.261(4). |
| 313 | 1971 c.78 s.262; 1980 c.65 s.87(7). |
| 314 | 1971 c.78 s.263(1); 1972 c. 70 Sch. 29 Pt. I para 3(b). |
| 315(1) | 1971 c.78 s.264(1). |
| (2) | 1971 c.78 s.264(2) |
| (3) | 1971 c.78 s.264(1) to (3). |
| (4) | 1971 c.78 s.264(4); 1987 c.3 Sch.1 para. 19. |
| (5) | 1971 c.78 s.264(4). |
| 316(1) | 1971 c.78 s.270(1). |
| (2) | 1971 c.78 s.270(2); 1981 c.41 Sch. para. 21. |
| (3) | 1971 c.78 s.270 (3). |
| (4) | 1971 c.78 s.272. |
| (5) | 1980 c.65 s.149(5); 1988 c.50 s.67(5). |

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| 317(1), (2) | 1971 c.78 s.273(1); 1974 S.I./692 art.2(1), 5(3), Sch.1 Pt.I; 1987 c.3 s.1, Sch.1 para. 19. |
| (3) | 1971 c.78 s.273(2). |
| 318(1) | 1971 c.78 s.274(1); 1981 c.41 Sch. para. 23; 1981 c.67 Sch.4 para. 1. |
| (2) | 1971 c.78 s.274(2). |
| (3) | 1971 c.78 s.274(3). |
| (4) | 1971 c.78 s.274(4). |
| (5) | 1971 c.78 s.274(4). |
| (6) | 1971 c.78 s.274(5). |
| 319(1) | 1971 c.78 s.269(1), (3); 1980 c.65 Sch.15 para. 23(1); 1981 c.36 s.18; 1984 c.10 s.6(3). |
| (2) | 1971 c.78 s.269(2); 1972 c.70 s. 179(3); 1982 c.30 s.36(b). |
| (3) | 1971 c.78 s.269(3); 1972 c.70 s. 179(3). |
| (4) | 1971 c.78 s.269(1), (3). |
| (5) | 1971 c.78 s.269(4). |
| 320(1) | 1971 c.78 s.282(1). |
| (2) | 1971 c.78 s.282(2); 1986 c.63 Sch.11 para. 8(1). |
| 321(1) | 1982 c.21 s.1(5). |
| (2) | 1982 c.21 s.1(1). |
| (3) | 1982 c.21 s.1(2),(3). |
| (4) | 1982 c.21 s.1(4). |
| 322 | 1971 c.78 s.282A; 1986 c.63 Sch.11 para. 9(1). |
| 323 | 1971 c.78 s.282B; 1986 c.63 Sch.11 para. 10. |
| 324(1) | 1971 c.78 s.280(1); 1981 c.41 Sch. para. 25; 1985 c.51 Sch.1 para. 16(7). |
| (2) | 1971 c.78 s.280(4). |
| (3) | 1971 c.78 s.280(4A); 1982 c.30 s.36(c). |
| (4) | 1971 c.78 s.280(5). |
| (5) | 1971 c.78 s.280(6). |
| (6) | 1971 c.78 s.280(7). |
| (7) | 1971 c.78 s.280(8). |

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| (8) | 1971 c.78 s.280(9). |
| (9) | 1971 c.78 s.280(10); 1985 c.51 Sch.2 para. 1(16). |
| 325(1) | 1971 c.78 s.281(1) |
| (2) | 1971 c.78 s.281(2); 1982 c.48 s.46. |
| (3) to (5) | 1971 c.78 s.281(3). |
| (6) | 1971 c.78 s.281(4). |
| (7) | 1971 c.78 s.281(5). |
| (8) | 1971 c.78 s.281(6)(a). |
| (9) | 1971 c.78 s.281(6)(b). |
| 326(1) | 1971 c.78 s.278(1). |
| (2) | 1971 c.78 s.278(2). |
| (3) | 1971 c.78 s.278(4). |
| (4) | 1971 c.78 s.278(5). |
| 327(1) | 1971 c.78 s.279(1). |
| (2) | 1971 c.78 s.279(2)(a). |
| (3) | 1971 c.78 s.279(2)(b). |
| (4) | 1971 c.78 s.279(3). |
| (5) | 1971 c.78 ss.279(4); 258(5). |
| 328(1) | 1971 c.78 s.275(1). |
| (2) | 1971 c.78 s.275(1). |
| 329 | 1971 c.78 s.283. |
| 330(1) | 1971 c.78 s.284(1); 1977 c.29 s.3(1), (2); 1981 c.41 Sch. para. 26. |
| (2) | 1971 c.78 s.284(1A); 1977 c.29 s.3(1), (3). |
| (3) | 1971 c.78 s.284(1)(part); 1977 c.29 s.3(1),(2); 1981 c.41 Sch. para. 26. |
| (4) | 1971 c.78 s.284(2); 1977 c.29 s.3(4); 1982 c.48 ss.38, 46. |
| (5) | 1971 c.78 s.284(3); 1977 c.29 s.3(5); 1982 c.48 s.74. |
| 331 | 1971 c.78 s.285. |
| 332 | 1971 c.78 s.286. |
| 333(1) | 1971 c.78 s.287(1). |
| (2), (3) | 1971 c.78 s.287(2). |

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| (4) | 1971 c.78 s.287(4); 1985 c.51 s.103(1); 1986 c.63 Sch.6 Pt.II para. 6(a), Sch.9 para. 5(2)(a), Sch.12 Pt.III. |
| (5) | 1971 c.78 s.287(5); 1985 c.51 s.103(2); 1986 c.63 Sch.6 Pt.II para. 6(b), Sch.9 para. 5(2)(b), Sch.12 Pt.III. |
| (6) | 1971 c.78 s.287(6). |
| (7) | 1971 c.78 s.287(3). |
| 334 | 1971 c.78 s.288. |
| 335 | 1971 c.78 s.289. |
| 336(1) | 1971 c.78 ss. 264(1A), 290(1); 1972 c.70 s. 179(3), Sch.30; 1977 S.I./293 art.4(4); 1980 c.65 Sch.32 para. 18(5); 1980 c.66 Sch.24 para. 20(h); 1981 c.36 s.1(2), Sch.1 para. 11; 1985 c.51 Sch.1 para. 16(8), Sch.17; 1986 c.63 Sch.6 Pt.II para. 7, Sch.7 Pt.I para. 7, Sch.12 Pt.III; 1988 c.4 Sch.3 para. 25; 1989 c.15 Sch.25 paras.1(11)(ii), 42(3); 1990 SI/776 Sch.3 para. 15; R 28. |
| (2), (3) | 1971 c.78 s.290(2). |
| (4) | 1971 c.78 s.290(3). |
| (5) | 1971 c.78 s.290(4). |
| (6) | 1971 c.78 s.290(5)(part). |
| (7) | 1971 c.78 s.290(6); 1989 c. 34 s.2. |
| (8) | 1971 c.78 s.290(7). |
| (9) | 1971 c.78 s.290(8). |
| (10) | 1971 c.78 ss.40(4) 181(5), 182(5), 280(10)(c), 284(4); 1988 c.4 Sch.3 paras. 11,19,20,23,24,25. |
| 337 | |
| Sch. 1 para. 1 | 1972 c.70 Sch. 16 paras. 32, 32A; 1980 c.65 s.86(4), Sch. 34 Pt X; 1981 c.36 s.2(1), Sch para 12. |
| para. 2 | 1972 c.70 s.183(1). |
| para. 3 | 1972 c.70 Sch. 16 para. 15; 1980 c.65 s.86(1), Sch. 34 Pt X. |
| para. 4 | 1972 c.70 Sch. 16 para. 16. |
| para. 5(1) | 1972 c.70 Sch. 16 para. 17; 1980 c.66 Sch. 24 para. 22; 1986 c.63 Sch. 11 para. 2(2). |
| (2),(3) | 1980 c.65 s.150. |

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| para. 6 | 1972 c.70 Sch. 16 para. 18. |
| para. 7 | 1972 c.70 Sch. 16 para. 19; 1980 c.65 s.86(2),(3); 1986 c.63 Sch. 11 para. 23(3); R 29. |
| para. 8 | 1972 c.70 Sch. 16 para. 20; 1986 SI/452. |
| para. 9(1) | 1971 c.78 s.24A(6); 1986 c.63 s.25(1). |
| (2) | 1971 c.78 Sch.8A para. 5(6); 1986 c.63 s.25(2). |
| (3) | 1971 c.78 Sch.8A para. 6(6); 1986 c.63 s.25(2). |
| para. 10 | 1972 c.70 Sch. 16 para. 23. |
| para. 11 | 1972 c.70 Sch. 16 para. 24; 1981 c.36 s.2(4)(c); 1981 c.41 Sch. para. 28(a). |
| para. 12 | 1972 c.70 Sch. 16 para. 29; 1978 c.30 s.17(2)(a); 1981 c.41 Sch. para. 28(b). |
| para. 13 | 1971 c.78 s.60(1A); 1972 c.70 Sch. 16 para. 27; 1980 c.65 Sch.15 para 13; R 2. |
| para. 14 | 1971 c.78 ss.61A(3),(7), 65(4), 109A; 1972 c.70 Sch. 16 para. 25 (part); 1980 c.65 Sch. 34 Pt X; 1986 c.63 s.46. |
| para. 15 | 1972 c.70 Sch. 16 para. 26. |
| para. 16 | 1972 c.70 Sch. 16 paras. 34, 38. |
| para. 17 | 1972 c.70 Sch. 16 para. 35. |
| para. 18 | 1972 c.70 Sch. 16 para. 36. |
| para. 19 | 1972 c.70 Sch. 16 para. 54(1) to (5); 1985 c.51 s.3(5), Sch. 3 para. 4. |
| para. 20 | 1972 c.70 Sch. 16 paras. 45,47 (part); 1971 c.78 s.52(4). |
| para. 21 | 1972 c.70 Sch. 16 para. 52. |
| Sch. 2 Pt.I para. 1 | 1985 c.51 Sch. 1 para. 18 (part), drafting. |
| para. 2 | 1985 c.51 Sch. 1 para. 19; 1971 c.78 Sch. 4 para. 5. |
| para. 3(1) | 1971 c.78 Sch.23 Pt.I; 1985 c.51 Sch. 1 para. 20(1), (2); 1986 c.63 Sch. 11 para. 27(1), (2). |
| (2) | 1985 c.51 Sch. 1 para. 20(2A); 1986 c.63 Sch. 11 para. 27(1), (3). |
| (3) | 1985 c.51 Sch. 1 para. 20(3A); 1986 c.63 Sch. 11 para. 27(1), (4) (part). |

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| (4) | 1985 c.51 Sch. 1 para. 20(4). |
| (5) | R 30. |
| para. 4(1),(2) | 1985 c.51 Sch. 1 para. 21(1) |
| (3) | 1985 c.51 Sch. 1 para. 21(2) |
| para. 5 | 1985 c.51 Sch. 1 para. 22 |
| para. 6 | 1985 c.51 Sch. 1 para. 23(3) |
| Sch. 2 Pt. II, para. 1 | 1971 c.78 Sch.4 para. 5(1); 1985 c.51 Sch. 1 para. 18. |
| para. 2 | 1985 c.51 Sch. 1 para. 19 |
| para. 3(1) | 1971 c. 78 Sch. 4 para. 7, Sch. 23 Pt.I; 1985 c.51 Sch. 1 para. 20(1), (2); 1986 c.63 Sch. 11 para. 27(1), (2) |
| (2) | 1971 c.78 Sch. 4 para. 2; 1972 c.42 Sch. 1; 1985 c.51 Sch.1 para. 20(2). |
| (3) | 1971 c.78 Sch. 4 para. 5(1); 1985 c.51 Sch. 1 para. 20, drafting. |
| (4) | 1981 c.51 Sch. 1 para. 20(4). |
| (5) | R 30. |
| para. 4(1) | 1971 c.78 Sch. 4 para. 8(3); 1972 c.42 Sch. 1 |
| (2) | 1971 c.78 Sch. 4 para. 8(5); 1972 c.42 Sch. 1 |
| para. 5(1) | 1971 c.78 Sch. 4 paras. 5(3), 8(1); 1972 c.42 Sch. 1 |
| (2) | 1971 c.78 Sch. 4 para. 9(1)(b); 1972 c.42 Sch. 1 |
| (3) | 1971 c.78 Sch. 4 para. 9(3); 1972 c.42 Sch. 1 |
| para. 6 | 1971 c.78 Sch. 4 para. 10; 1972 c.42 Sch. 1 |
| para. 7(1) | 1971 c.78 Sch. 4 para. 11(1); 1972 c.42 Sch. 1; 1972 c.70 Sch. 30 |
| (2) | 1971 c.78 Sch. 4 para. 11(2); 1972 c.42 Sch. 1; 1980 c.65 Sch. 14 para. 13(1) |
| (3) | 1971 c.78 Sch. 4 para. 11(3); 1972 c.42 Sch. 1; 1980 c.65 Sch. 14 para. 13(1) |
| (4),(5) | 1971 c.78 Sch. 4 para. 11(4),(5); 1972 c.42 Sch. 1 |
| para. 8(1) | 1971 c.78 Sch. 4 para. 12(1); 1972 c.42 Sch. 1 |

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| (2) | 1971 c.78 Sch. 4 para. 12(2)(part); 1972 c.42 Sch. 1; 1980 c.65 Sch. 14 para. 13(1) |
| (3) | 1971 c.78 Sch. 4 para. 12(3); 1972 c.42 Sch. 1; 1980 c.65 Sch. 14 para. 13(1) |
| para. 9(1) | 1971 c.78 s.13(1); 1972 c.70 s.272(2) |
| (2) | 1971 c.78 s.13(2) |
| (3) | 1971 c.78 s.13(3); 1980 c.65 Sch. 14 para. 9 |
| para. 10 | 1971 c.78 s.14 Sch.4 para. 14; 1980 c.65 Sch. 14 para. 10. |
| para. 11(1) | 1971 c.78 Sch. 4 para. 14(2); 1972 c.42 Sch. 1; 1972 c.70 Sch. 30 |
| (2) | 1971 c.78 Sch. 4 para. 14(3); 1972 c.42 Sch. 1 |
| para. 12(1),(2) | 1971 c.78 s.15(1),(2) |
| (3) | 1985 c.51 Sch. 1 para. 20(3); 1986 c.63 Sch. 11 para. 27(4) |
| (4) | 1971 c.78 s.15(3), Sch. 4 para. 16(1); 1972 c.42 s.3(3), Sch. 1; 1972 c.70 Sch. 30. |
| para. 13(1) | 1972 c.70 Sch. 16 para. 10(1); 1986 c.63 Sch. 12 Pt. III |
| (2) | 1972 c.70 Sch. 16 para. 10(2) (as it applies in London); 1986 c.63 Sch. 12 Pt. III |
| (3) | 1972 c.70 Sch. 16 para. 14(3) |
| (4),(5) | 1972 c.70 Sch. 16 para. 14(5),(6) |
| para. 14 | 1972 c.70 Sch. 16 para. 11(1) (as it applies in London). |
| para. 15 | 1972 c.70 Sch. 16 para. 12; 1986 c.63 Sch. 12 Pt. III |
| para. 16 | 1972 c.70 Sch. 16 para. 13; R 6. |
| para. 17(1),(2) | 1985 c.51 Sch. 1 para. 21(1) |
| (3) | 1985 c.51 Sch. 1 para. 21(2) |
| para. 18 | 1985 c.51 Sch. 1 para. 22 |
| Sch. 2 Pt. III, para. 1 | Drafting |
| para. 2 | 1971 c.78 Sch. 7 para. 2; 1980 c.66 Sch. 24 para. 20(j) |
| para. 3 | 1971 c.78 Sch. 4 para 5, Sch. 7 para. 3; 1980 c.65 Sch. 14 para. 14 |

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| para. 4 | 1971 c.78 Sch. 7 para. 4. |
| para. 5 | 1971 c.78 Sch. 7 para. 5 |
| para. 6 | 1971 c.78 Sch. 7 para. 5A; 1980 c.65 Sch. 14 para. 15(1) |
| para. 7 | 1971 c.78 Sch. 7 para. 5B; 1980 c.65 Sch. 14 para. 15(1) |
| para. 8 | 1971 c.78 Sch. 7 para. 5C; 1980 c.65 Sch. 14 para. 15(1) |
| para. 9 | 1971 c.78 Sch. 7 para. 6 |
| para. 10 | 1971 c.78 Sch. 7 para. 7; 1980 c.65 Sch. 14 para. 15(2); 1985 c.51 Sch. 17 |
| Sch. 3 para. 1 | 1971 c.78 Sch. 8 para. 1 (part) |
| para. 2 | 1971 c.78 Sch. 8 para. 2. |
| para. 3 | 1971 c.78 Sch. 8 para. 3 (part) |
| para. 4 to 8 | 1971 c.78 Sch. 8 paras. 4 to 8. |
| para. 9 | 1971 c.78 Sch. 8 para. 10. |
| para. 10(1) | 1971 c.78 Sch. 8 para. 9. |
| (2) | 1971 c.78 Sch. 8 paras. 1 (part), 3 (part). |
| paras. 11 to 13 | 1971 c.78 Sch. 8 paras. 11 to 13. |
| para. 14(1) | 1971 c.78 s.180(3). |
| (2) | 1971 c.78 s.278(2), (3). |
| Sch. 4 paras. 1 to 3 | 1971 c.78 s.23(2) to (4). |
| para. 4 | 1971 c.78 s.23(7). |
| Sch. 5 para. 1 | 1971 c.78 s.44A; 1981 c.36 s.7; 1982 SI/86. |
| para. 2 | 1971 c.78 s.30A(1) to (8), (19) (part); 1981 c.36 s.5. |
| para. 3 | 1971 c.78 s.30A(9) to (12), (19); 1981 c.36 s.5. |
| para. 4 | 1971 c.78 s.30A(13) to (16), (19); 1981 c.36 s.5. |
| para. 5 | 1971 c.78 s.30A(17); 1981 c.36 s.5. |
| para. 6 | 1971 c.78 s.30A(18); 1981 c.36 s.5. |
| para. 7 | 1971 c.78 s.45(6); 1981 c.36 s.8. |
| para. 8 | 1971 c.78 s.45(7); 1981 c.36 s.8. |
| Sch. 6 para. 1 | 1971 c.78 Sch. 9 para. 1. |

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| para. 2 | 1971 c.78 Sch. 9 para. 2; 1981 c.41 Sch. para. 27. |
| para. 3 | 1971 c.78 Sch. 9 para. 3. |
| para. 4 | 1971 c.78 Sch. 9 para. 3A; 1986 c.63 Sch. 11 para. 11. |
| para. 5 | 1971 c.78 Sch. 9 para. 4. |
| para. 6 | 1971 c.78 Sch. 9 para. 5; 1972 c.70 s.272(2); 1986 c.63 Sch. 11 paras. 8(2), 9(2), 12. |
| para. 7 | 1971 c.78 Sch.9 para. 6. |
| para. 8 | 1971 c.78 Sch. 9 para. 7. |
| Sch. 7 para. 1 | 1971 c.78 Sch.8A para. 1; 1986 c.63 s.25(2). |
| para. 2 | 1971 c.78 Sch.8A para. 2(2); 1986 c.63 s.25(2). |
| para. 3,4 | 1971 c.78 Sch.8A paras. 3,4; 1986 c.63 s.25(2). |
| para. 5 | 1971 c.78 Sch.8A para. 5(1) to (5); 1986 c.63 s.25(2). |
| para. 6 | 1971 c.78 Sch.8A para. 6(1) to (5); 1986 c.63 s.25(2). |
| paras. 7 to 12 | 1971 c.78 Sch.8A paras. 7 to 12; 1986 c.63 s.25(2). |
| para. 13(1),(2) | 1971 c.78 Sch.8A para. 13(1),(2); 1986 c.63 s.25(2); R 31. |
| (3) | 1971 c.78 Sch.8A para. 13(3); 1978 c.30 Sch.1; 1986 c.63 s.25(2). |
| (4) | 1971 c.78 Sch.8A para. 13(4); 1986 c.63 s.25(2). |
| Sch. 8 para. 1 | 1971 c.78 s.47(2) to (4),(6). |
| para. 2 | 1971 c.78 s.48(3) to (5). |
| para. 3. | 1971 c.78 s.48(6),(7). |
| para. 4. | 1971 c.78 s.49(1),(2),(7). |
| para. 5 | 1971 c.78 s.49(3) to (6); 1972 c.70 s.272(2). |
| para. 6. | 1971 c.78 Sch.10 para. 1. |
| para. 7. | 1971 c.78 Sch.10 para. 2. |
| Sch. 9 para. 1 | 1971 c.78 s.51(1) to (1C),(2) to (9); 1981 c.36 s.9. |

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| para. 2 | 1971 c.78 s.51(1D) to (1H); 1981 c.36 s.9. |
| para. 3 | 1971 c.78 s.51A(1) to (7); 1981 c.36 s.10. |
| para. 4 | 1971 c.78 s.51A(8) to (11); 1981 c.36 s.10. |
| para. 5 | 1971 c.78 s.51B(1) to (4); 1981 c.36 s.10. |
| para. 6 | 1971 c.78 s.51B(5); 1981 c.36 s.10. |
| para. 7 | 1971 c.78 s.51C; 1981 c.36 s.10. |
| para. 8 | 1971 c.78 s.51D; 1981 c.36 s.10. |
| para. 9 | 1971 c.78 s.51E; 1981 c.36 s.10. |
| para. 10 | 1971 c.78 s.51F; 1981 c.36 s.10. |
| para. 11 | 1971 c.78 s.276(1) to (4); 1974 c.7 Sch. 6 para. 25(12), Sch. 8; 1981 c.36 Sch. 1 para. 10; R 9. |
| Sch. 10 | 1971 c.78 Sch. 18. |
| Sch. 11 para. 1 | 1971 c.78 s.178A; 1981 c.36 s.16; 1981 c.36 Sch. 1 paras. 4 to 6. |
| para. 2 | 1971 c.78 s.164A(1); 1981 c.36 s.13. |
| para. 3 | 1971 c.78 s.170B(1); 1981 c.36 s.15. |
| para. 4 | 1971 c.78 s.164A(2)(b) to (4); 1981 c.36 s.13; 1982 SI/86. |
| para. 5 | 1971 c.78 s.170B(2); 1981 c.36 s.15. |
| para. 6 | 1971 c.78 s.170B(3); 1981 c.36 s.15. |
| para. 7 | 1971 c.78 s.170B(4); 1981 c.36 s.15. |
| para. 8 | 1971 c.78 s.170B(5); 1981 c.36 s.15. |
| para. 9 | 1971 c.78 s.170B(6); 1981 c.36 s.15. |
| para. 10 | 1971 c.78 s.178C(1),(2); 1981 c.36 s.16. |
| para. 11 | 1971 c.78 s.178C(3); 1981 c.36 s.16. |
| para. 12 | 1971 c.78 s.178B; 1981 c.36 s.16. |
| para. 13 | 1971 c.78 s.179(1) (part); 1981 c.36 s.17. |
| Sch. 12 para. 1 | 1971 c.78 s.135. |
| para. 2 | 1971 c.78 s.136. |
| para. 3 | 1971 c.78 s.137. |
| para. 4 | 1971 c.78 s.138, Sch. 15 para. 29 (part). |

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| para. 5 | 1971 c.78 Sch. 15 paras. 2 to 5. |
| para. 6 | 1971 c.78 Sch. 15 para. 1. |
| para. 7 | 1971 c.78 Sch. 15 paras. 6 to 10. |
| para. 8 | 1971 c.78 Sch. 15 paras. 11 to 16. |
| para. 9 | 1971 c.78 Sch. 15 paras. 17 to 22. |
| para. 10 | 1971 c.78 Sch. 15 paras. 23 to 25. |
| para. 11 | 1971 c.78 Sch. 15 paras. 26 to 28, 29 (part). |
| para. 12 | 1971 c.78 s.139. |
| para. 13 | 1971 c.78 ss.140, 161. |
| para. 14 | 1971 c.78 s.141. |
| para. 15 | 1971 c.78 Sch. 16. |
| para. 16 | 1971 c.78 s.142. |
| para. 17 | 1971 c.78 Sch. 17. |
| para. 18 | 1971 c.78 s.143. |
| para. 19 | 1971 c.78 s.144. |
| para. 20 | 1971 c.78 s.145. |
| Sch. 13 para. 1 | 1971 c.78 s.192(1)(a); 1984 c.12 Sch.4 para. 53(6); 1987 c.3 Sch.1 para. 19. |
| Notes (1) | 1973 c.26 s.68(1); R 32(a). |
| (2) | 1973 c.26 s.68(4); R 32(a). |
| (3) | 1973 c.26 s.68(5) (part). |
| (4) | 1973 c.26 s.68(7) (part). |
| (5) | 1971 c.78 s.192(2). |
| (6) | 1973 c.26 s.71(2). |
| (7) | 1971 c.78 Sch. 4 para. 5; 1973 c.26 s.68(8); 1985 c.51, Sch. 1 para. 20(2). |
| para. 2 | 1971 c.78 s.192(1)(b). |
| Notes (1) | 1973 c.26 s.68(2), (9); R 32(b). |
| (2) | 1973 c.26 s.68(4) (part); R 32(b). |
| (3) | 1973 c.26 s.68(5) (part)(9). |
| (4) | 1973 c.26 s.68(7) (part). |
| (5) | 1973 c.26 s.68(8). |
| para. 3 | 1971 c.78 s.192(1)(bb); 1985 c.51 Sch.1 para. 16(1). |
| Notes (1) | 1985 c.51 Sch.1 para. 17(1) (part); R 32(c). |

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| (2) | 1985 c.51 Sch.1 para. 17(2) (part). |
| (3) | 1985 c.51 Sch.1 para. 17(3) (part). |
| (4) | 1985 c.51 Sch.1 para. 17(5) (part). |
| para. 4 | 1971 c.78 s.192(1)(bc); 1985 c.51 Sch.1 para. 16(1). |
| Notes (1) | 1985 c.51 Sch.1 para. 17(1) (part); R 32(c). |
| (2) | 1985 c.51 Sch.1 para. 17(2) (part). |
| (3) | 1985 c.51 Sch.1 para. 17(3) (part). |
| (4) | 1985 c.51 Sch.1 para. 17(5) (part). |
| para. 5 | 1973 c.26 s.71(1)(a). |
| para. 6 | 1973 c.26 s.71(1)(b). |
| para. 7 | 1973 c.26 s.72(1)(a); 1981 c.64 Sch.12 para. 11. |
| Note | 1973 c.26 s.72(2). |
| para. 8 | 1973 c.26 s.72(1)(b); 1981 c.64 Sch.12 para. 11. |
| para. 9 | 1980 c.65 s.147(1). |
| Note | 1980 c.65 s.147(2). |
| para. 10 | 1973 c.26 s.73(1)(a); 1985 c.71 Sch.2 para. 24(8). |
| para. 11 | 1973 c.26 s.73(1)(b); 1985 c.71 Sch.2 para. 24(8). |
| para. 12 | 1971 c.78 s.192(1)(ha); 1989 c.42 Sch.11 para. 20. |
| para. 13 | 1971 c.78 s.192(1)(c). |
| para. 14 | 1971 c.78 s.192(1)(d); 1980 c.66 Sch.24 para. 20. |
| Notes (1) | 1973 c.26 s.69(1)(a); 1980 c.66 Sch.24 para. 23. |
| (2) | 1973 c.26 s.69(2). |
| (3) | 1973 c.26 s.74(1); 1980 c.66 Sch.24 para. 23. |
| para. 15 | 1971 c.78 s.192(1)(e). |
| para. 16 | 1971 c.78 s.192(1)(f). |
| para. 17 | 1973 c.26 s.74(2)(a); 1980 c.66 Sch.24 para. 23. |
| para. 18 | 1973 c.26 s.74(2)(b). |

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| para. 19 | 1973 c.26 s.76(1); 1980 c.66 Sch.24 para. 23. |
| Note | 1973 c.26 s.76(4). |
| para. 20 | 1971 c.78 s.192(1)(h); 1985 c.71 Sch.2 para. 22. |
| para. 21 | 1971 c.78 s.192(1)(i). |
| para. 22 | 1971 c.78 s.192(1)(g), (j); 1973 c.26 s.75(1),(2). |
| Notes (1) | 1973 c.26 s.70(1); 1978 c.30 s.17(2)(a). |
| (2) | 1973 c.26 s.70(2). |
| Sch. 14 para 1 | 1971 c.78 Sch.20 para 1; 1981 c.69 Sch.16 para. 1; 1985 c.51 Sch.14 para. 48. |
| para 2 | 1971 c.78 Sch.20 para. 2. |
| para 3 | 1971 c.78 Sch.20 para. 3. |
| para 4 | 1971 c.78 Sch.20 para. 3A; 1981 c.69 Sch.16 paras. 2,10. |
| para 5 | 1971 c.78 Sch.20 para. 4. |
| para 6 | 1971 c.78 Sch.20 para 5. |
| para 7 | 1971 c.78 Sch.20 para. 6; 1981 c.69 Sch.16 paras. 3, 10; R 33. |
| para 8 | 1971 c.78 Sch.20 para. 7, 1981 c.69 Sch.16 paras. 4,10. |
| Sch. 15 para. 1 | Drafting |
| para 2 | 1946 c.35 s.2(4),(5). |
| para. 3 | 1946 c.35 s.2(6). |
| para. 4 | 1946 c.35 s.2(7) (part). |
| para. 5 | 1946 c.35 s.2(2),(3). |
| para. 6 | 1946 c.35 s.2(8) (part), (7) (part). |
| para. 7 | 1946 c.35 s.2(8) (part). |
| para. 8 | 1946 c.35 s.2(9) (part). |
| para. 9 | 1946 c.35 s.2(9) proviso. |
| para. 10 | 1946 c.35 s.2(10). |
| para. 11 | 1946 c.35 s.2(11). |
| para. 12 | 1946 c.35 s.2(12). |
| para. 13 | 1946 c.35 s.3(1),(7). |
| para. 14 | 1946 c.35 s.5. |
| para. 15 | 1946 c.35 s.6. |

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| para. 16 | Drafting. |
| Sch. 16 | 1971 c.78 Sch. 21. |
| Sch. 17 | 1971 c.78 Sch. 22; 1980 c.66 Sch.24 para. 20(k),(l),(m); 1985 c.51 Sch.4 para. 50. |

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