
STATUTORY INSTRUMENTS

1991 No. 2272 (C.68)

**TOWN AND COUNTRY PLANNING,
ENGLAND AND WALES
TOWN AND COUNTRY PLANNING, SCOTLAND**

The Planning and Compensation Act
1991 (Commencement No. 3) Order 1991

Made - - - - 9th October 1991

The Secretary of State for the Environment, as respects England, the Secretary of State for Wales, as respects Wales, the Secretary of State for Scotland, as respects Scotland, and the Secretary of State for Northern Ireland, as respects Northern Ireland, in exercise of the powers conferred on them by section 84(2) and (3) of the Planning and Compensation Act 1991(1)) and all other powers enabling them in that behalf, hereby make the following Order—

Citation and interpretation

1.—(1) This Order may be cited as the Planning and Compensation Act 1991 (Commencement No. 3) Order 1991.

(2) In this Order—

“the 1990 Act” means the Town and Country Planning Act 1990(2);

“the 1991 Act” means the Planning and Compensation Act 1991.

Provisions coming into force on 13th October 1991

2. The following provisions of the 1991 Act shall come into force on 13th October 1991—

(a) section 6(6) (which extends to England and Wales only);

(b) section 61 (which extends to Scotland only) so far as it relates to paragraph 45 of Schedule 13.

(1) 1991 c. 34.
(2) 1990 c. 8.

Provisions coming into force on 25th October 1991

3.—(1) The following provisions of the 1991 Act (which extend to England and Wales only) shall come into force on 25th October 1991—

- (a) section 12(1), so far as it substitutes a new section 106 of the 1990 Act;
- (b) section 12(2) and (3);
- (c) section 32, so far as it relates to paragraphs 6, 9(2)(h), and 53(9) of Schedule 7.

(2) Section 83 (which extends throughout the United Kingdom) shall come into force on 25th October 1991.

Signed by authority of the Secretary of State for the Environment

2nd October 1991

G. S. K. Young
Minister of State,
Department of the Environment

2nd October 1991

David Hunt
Secretary of State for Wales

3rd October 1991

Ian Lang
Secretary of State for Scotland

9th October 1991

Peter Brooke
Secretary of State for Northern Ireland

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force certain provisions of the Planning and Compensation Act 1991.

Article 2 brings into force, on 13th October 1991, section 6 and section 61, so far as it relates to paragraph 45 of Schedule 13, of the 1991 Act. Section 6(6) amends section 303(3) of the Town and Country Planning Act 1990, which enables fees to be imposed in respect of deemed applications for planning permission. Section 61 and paragraph 45 of Schedule 13 amend section 87(3) of the Local Government, Planning and Land Act 1980 (c. 65), which contains an equivalent enabling provision with respect to Scotland.

Article 3 brings into force, on 25th October 1991, section 12(1) of the 1991 Act, so far as it replaces section 106 of the 1990 Act with a substitute section 106, together with sections 12(2) and 12(3). The substituted section 106 introduces the concept of planning obligations and contains more extensive powers than the previous section relating to planning agreements. Sections 12(2) and (3) make provision in respect of the application of planning obligations to Crown land. Article 3 also brings into force certain minor and consequential amendments, including one amendment to taxation legislation applying throughout the United Kingdom.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Planning and Compensation Act 1991 have been brought into force by commencement orders made before the date of this Order:

| Provision | Date of commencement | S.I. No. |
|--------------------------------------|----------------------|---------------------------|
| s.15 (England and Wales) | 25th September 1991 | 1991/2067 |
| ss.17 and 18 (England and Wales) | | |
| ss.21 and 22 (England and Wales) | | |
| s.25 (partially) (England and Wales) | | |
| s.26 (England and Wales) | | |
| s.29 (England and Wales) | | |
| s.31 (partially) (England and Wales) | | |
| s.32 (partially) (England and Wales) | | |
| ss.47 and 48 (Scotland) | 25th September 1991 | 1991/2092 |
| s.50 (Scotland) | | |
| s.57 (partially) (Scotland) | | |

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

| Provision | Date of commencement | S.I. No. |
|---|----------------------|---------------------------|
| s.60 (partially) (Scotland) | | |
| s.61 (partially) (Scotland) | | |
| ss.62 to 69 (England and Wales) | 25th September 1991 | 1991/2067 |
| s.70 (partially) (England and Wales) | | |
| ss.71 to 79 (Scotland) | 25th September 1991 | 1991/2092 |
| s.80 (partially) (England and Wales) | 25th September 1991 | 1991/2067 |
| s.81 (England and Wales) | | |
| s.84(6) (partially) (England, Wales and Scotland) | | |
| Schs. 1 and 2 (England and Wales) | | |
| Sch. 3 (partially) (England and Wales) | | |
| Sch. 6 (partially) (England and Wales) | | |
| Sch. 7 (partially) (England and Wales) | | |
| Sch. 10 (partially) (Scotland) | 25th September 1991 | 1991/2092 |
| Sch. 12 (Scotland) | | |
| Sch. 13 (partially) Scotland | | |
| Sch.14 (England and Wales) | 25th September 1991 | 1991/2067 |
| Sch.15 (partially) (England and Wales) | | |
| Schs. 16 and 17 (Scotland) | 25th September 1991 | 1991/2092 |
| Sch.18 (partially) (England and Wales) | 25th September 1991 | 1991/2067 |
| Sch.19 (partially) (England, Wales and Scotland) | | |