

SCHEDULES

SCHEDULE 6

Sections 25(2), (3), 26(2), (3).

SIMPLIFIED PLANNING ZONES : FURTHER PROVISIONS

PART I

SCHEDULE TO BE INSERTED IN THE TOWN AND COUNTRY PLANNING ACT 1971

“SCHEDULE 8A

SIMPLIFIED PLANNING ZONES

General

- 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, and 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.

Proposals to make or alter scheme

- 2** (1) A local planning authority may at any time decide to make a simplified planning zone scheme or to alter a scheme adopted by them or, with the consent of the Secretary of State, to alter a scheme approved by him.
- (2) An authority who decide 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.

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.

Status: This is the original version (as it was originally enacted).

- (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 twelve months preceding his request;
 - (b) in the case of a request to alter a 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) The Secretary of State may, after—
- (a) considering the matter and any written representations made by the applicant or the authority, and
 - (b) carrying out such consultations with such persons as he thinks fit,
- 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.
- (2) In either case the direction may extend to—
- (a) the land specified in the request to the authority,
 - (b) any part of the land so specified, or
 - (c) 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.

Publicity and consultation: general

- 5** (1) A local planning authority who propose to make or alter a simplified planning zone scheme shall proceed in accordance with this paragraph, unless paragraph 6 applies (short procedure for certain alterations).
- (2) They shall take such steps as will in their opinion secure—
- (a) that adequate publicity for their proposals is given in the area to which the scheme relates,
 - (b) that persons who may be expected to wish to make representations about the proposals are made aware that they are entitled to do so, and
 - (c) that such persons are given an adequate opportunity of making such representations ;
- and they shall consider any representations made to them within the prescribed period.

Status: This is the original version (as it was originally enacted).

- (3) They shall then, having prepared the relevant documents, that is, the proposed scheme or alterations—
 - (a) make copies of the documents available for inspection at their office, and
 - (b) send a copy of them to the Secretary of State.
- (4) Each copy of the documents made available for inspection shall be accompanied by a statement of the time within which objections may be made.
- (5) The local planning authority shall before preparing the proposed scheme or alterations consult the Secretary of State having responsibility for highways as to the effect of their proposals on existing or future highways; and when they have prepared the proposed scheme or alterations they shall send him a copy.
- (6) A district planning authority in a non-metropolitan county shall also, before preparing the proposed scheme or alterations, consult the county council as planning authority and as to the effect of their proposals on existing or future highways; and when they have prepared the scheme or alterations they shall send the county council a copy.

Publicity and consultation: short procedure for certain alterations

- 6 (1) Where a local planning authority propose to alter a simplified planning zone scheme and it appears to them that the issues involved are not of sufficient importance to warrant the full procedure set out in paragraph 5, they may proceed instead in accordance with this section.
 - (2) They shall prepare the proposed alterations and shall—
 - (a) make copies of them available for inspection at their office, and
 - (b) send a copy of them to the Secretary of State.
 - (3) Each copy of the documents made available for inspection shall be accompanied by a statement of the time within which representations or objections may be made.
 - (4) They shall then take such steps as may be prescribed for the purpose of—
 - (a) advertising the fact that the proposed alterations are available for inspection and the places and times at which, and the period during which, they may be inspected, and
 - (b) inviting the making of representations or objections in accordance with regulations ;and they shall consider any representations made to them within the prescribed period.
 - (5) The local planning authority shall send a copy of the proposed alterations to the Secretary of State having responsibility for highways.
 - (6) A district planning authority in a non-metropolitan county shall also send a copy of the proposed alterations to the county council.

Powers of Secretary of State to secure adequate publicity and consultation

- 7 (1) The documents sent by the local planning authority to the Secretary of State under paragraph 5(3) shall be accompanied by a statement—
 - (a) of the steps which the authority have taken to comply with paragraph 5(2), and
 - (b) of the authority's consultations with other persons and their consideration of the views of those persons.

Status: This is the original version (as it was originally enacted).

- (2) The documents sent by the local planning authority to the Secretary of State under paragraph 6(2) shall be accompanied by a statement of the steps which the authority are taking to comply with paragraph 6(4).
- (3) If, on considering the statement and the proposals and any other information provided by the local planning authority, the Secretary of State is not satisfied with the steps taken by the authority, he may, within 21 days of the receipt of the statement, direct the authority not to take further steps for the adoption of the proposals without—
 - (a) if they have proceeded in accordance with paragraph 6, proceeding instead in accordance with paragraph 5, or
 - (b) in any case, taking such further steps as he may specify, and satisfying him that they have done so.
- (4) A local planning authority who are given directions by the Secretary of State shall—
 - (a) forthwith withdraw the copies of the documents made available for inspection as required by paragraph 5(3)(a) or 6(2)(a), and
 - (b) notify any person by whom objections to the proposals have been made to the authority that the Secretary of State has given such directions.

Objections: local inquiry or other hearing

- 8 (1) The local planning authority may cause a local inquiry or other hearing to be held for the purpose of considering objections to their proposals for the making or alteration of a simplified planning zone scheme.
- (2) They shall hold such a local inquiry or other hearing in the case of objections made in accordance with regulations unless all the persons who have made such objections have indicated in writing that they do not wish to appear.
- (3) A local inquiry or other hearing shall be held by a person appointed by the Secretary of State or, in such cases as may be prescribed, by the authority themselves.
- (4) Regulations may—
 - (a) make provision with respect to the appointment, and qualifications for appointment, of persons to hold a local inquiry or other hearing;
 - (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 Local Government Act 1972 (power to summon and examine witnesses) apply to an inquiry held under this paragraph.
- (6) The Tribunals and Inquiries Act 1971 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 section 12(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.

Status: This is the original version (as it was originally enacted).

Adoption of proposals by local planning authority

- 9** (1) After the expiry of the period afforded for making objections to proposals for the making or alteration of a simplified planning zone scheme or, if such objections were duly made within that period, after considering the objections so made, the local planning authority may, subject to the following provisions of this paragraph and to paragraph 10 (calling in of proposals by Secretary of State), by resolution adopt the proposals.
- (2) They 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
 - (b) any other considerations which appear to the authority to be material.
- (3) After copies of the proposals have been sent to the Secretary of State and before they have been adopted by the local planning authority, the Secretary of State may, if it appears to him that the proposals are unsatisfactory, direct the authority to consider modifying the proposals in such respects as are indicated in the direction.
- (4) An authority to whom a direction is given shall not adopt the proposals unless they satisfy the Secretary of State that they have made the modifications necessary to conform with the direction or the direction is withdrawn.

Calling in of proposals for approval by Secretary of State

- 10** (1) After copies of proposals have been sent to the Secretary of State and before they have been adopted by the local planning authority, the Secretary of State may direct that the proposals shall be submitted to him for his approval.
- (2) In that event—
- (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 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.

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 he 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.
- (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 approve them—
- (a) consider any objections to them made in accordance with regulations,
 - (b) afford to any person who made such an objection which has not been withdrawn an opportunity of appearing before and being heard by a person appointed by him for the purpose, and
 - (c) if a local inquiry or other hearing is held, also afford such an opportunity to the authority and such other persons as he thinks fit,

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except so far as objections have already been considered, or a local inquiry or other hearing into the objections has already been held, by the authority.

- (4) 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 is under no obligation to do so, or to afford an opportunity for the making of representations or objections, or to cause a local inquiry or other hearing to be held, except as provided by subparagraph (3).

Default powers

- 12** (1) Where by virtue of any of the preceding provisions of this Schedule—
- (a) a simplified planning zone scheme or proposals for the alteration of such a scheme are required to be prepared, or
 - (b) steps are required to be taken for the adoption of any such scheme or proposals,
- then, if the Secretary of State is satisfied, after holding a local inquiry or other hearing, that the local planning authority are not taking the steps necessary to enable them to prepare or adopt such a scheme or proposals within a reasonable period, he may make the scheme or the alterations, as he thinks fit.
- (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 preceding 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.

Regulations and directions

- 13** (1) Without prejudice to the preceding provisions of this Schedule, the Secretary of State may make regulations with respect to the form and content of simplified planning zone schemes and with respect 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, matters included or proposed to be included in a simplified planning zone scheme and 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 ;
 - (c) without prejudice to paragraph (6), 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 ;

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- (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 in that behalf with copies of any document which has been made public for the purpose mentioned in paragraph 5(2) or 6(3) or has been made available for inspection under paragraph 5(3) or 6(2), 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.
- (4) Subject to the preceding 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.”

PART II

CONSEQUENTIAL AMENDMENTS—ENGLAND AND WALES

- 1 In section 34(1) of the Town and Country Planning Act 1971 (registers to be kept by local planning authorities) at the end add " and also containing such information as may be so prescribed with respect to simplified planning zone schemes relating to zones in the authority's area " .
- 2 In section 41 of the Town and Country Planning Act 1971 (limit of duration of planning permission), in subsection (3) (exceptions) after paragraph (aa) insert—
“(ab) to any planning permission granted by a simplified planning zone scheme ;” .
- 3 In section 53(1) of the Town and Country Planning Act 1971 (application to determine whether planning permission required) after " scheme " insert" or simplified planning zone scheme " .
- 4 In section 242(1) of the Town and Country Planning Act 1971 (validity of certain instruments to be questioned under that Act and not otherwise), after paragraph (a) insert—
“(aa) a simplified planning zone scheme or an alteration of such a scheme whether before or after the adoption or approval of the scheme or alteration;” .
- 5 In section 244 of the Town and Country Planning Act 1971 (procedure for questioning certain instruments), after subsection (6) insert—

Status: This is the original version (as it was originally enacted).

- “(7) Subsections (1) and (2) of this section apply to a simplified planning zone scheme or an alteration of such a scheme as they apply to a structure plan and an alteration of such a plan, with the following modifications—
- (a) for the references to Part II of this Act substitute references to Part LTI of this Act, and
 - (b) for the reference to regulations under section 18(1) of this Act substitute a reference to regulations under paragraph 13 of Schedule 8 A to this Act,
- and with any other necessary modifications.”.
- 6 In section 287 of the Town and Country Planning Act 1971 (general provisions as to regulations and orders)—
- (a) in subsection (4) (orders to be made by statutory instrument) after " 24," insert " 24E, ", and
 - (b) in subsection (5)(a) (orders subject to negative resolution procedure), after " section " insert " 24E, ".
- 7 In section 290(1) of the Town and Country Planning Act 1971 (interpretation), at the appropriate place insert—
- “simplified planning zone” and “simplified planning zone scheme ” shall be construed in accordance with section 24A of this Act;”.

PART III

SCHEDULE TO BE INSERTED IN THE TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1972

“SCHEDULE 6A

SIMPLIFIED PLANNING ZONE SCHEMES

General

- 1 A simplified planning zone scheme shall consist of a map and a written statement, and such diagrams, illustrations and descriptive matter as the planning authority think appropriate for explaining or illustrating the provisions of the scheme, and 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.

Proposals to make or alter scheme

- 2 (1) A planning authority may at any time decide to make a simplified planning zone scheme or to alter a scheme adopted by them or, with the consent of the Secretary of State, to alter a scheme approved by him.
- (2) An authority who decide to make or alter a simplified planning zone scheme shall—
- (a) notify the Secretary of State of their decision as soon as practicable, and

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- (b) determine the date on which they will begin to prepare the scheme or the alterations.

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

- 3 (1) If a person requests a 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 twelve months preceding his request;
 - (b) in the case of a request to alter a 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) The Secretary of State may, after—
- (a) considering the matter and any written representations made by the applicant or the authority, and
 - (b) carrying out such consultations with such persons as he thinks fit,
- 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.
- (2) In either case the direction may extend to—
- (a) the land specified in the request to the authority,
 - (b) any part of the land so specified, or
 - (c) 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.

Status: This is the original version (as it was originally enacted).

Publicity and consultation: general

- 5 (1) A planning authority who propose to make or alter a simplified planning zone scheme shall proceed in accordance with this paragraph.
- (2) Subject to paragraph 6(2) below, they shall take such steps as Will in their opinion secure—
- (a) that adequate publicity for their proposals is given in the area to which the scheme relates,
 - (b) that persons who may be expected to wish to make representations about the proposals are made aware that they are entitled to do so, and
 - (c) that such persons are given an adequate opportunity of making such representations;
- and they shall consider any representations made to them within the prescribed period.
- (3) They shall then, having prepared the relevant documents, that is, the proposed scheme or alterations—
- (a) make copies of the documents available for inspection at their office, and
 - (b) send a copy of them to the Secretary of State.
- (4) Each copy of the documents made available for inspection shall be accompanied by a statement of the time within which objections may be made.
- (5) The planning authority shall before preparing the proposed scheme or alterations consult the Secretary of State and any local roads authority in whose district the proposed zone or any part of it lies as to the effect of their proposals on existing or future roads; and when they have prepared the proposed scheme or alterations they shall send a copy to the Secretary of State and any such local roads authority.

Publicity and consultation: expedited procedure

- 6 (1) The documents sent by the planning authority to the Secretary of State under paragraph 5(3) shall be accompanied by a statement—
- (a) of the steps which the authority have taken to comply with paragraph 5(2), and
 - (b) of the authority's consultations with other persons and their consideration of the views of those persons.
- (2) Where a planning authority do not consider it appropriate to take the steps required by paragraph 5(2) of this Schedule in relation to proposals made by them under sub-paragraph (1) of that paragraph for the alteration of a simplified planning zone scheme, they may instead include, with the copies of those proposals made available for inspection and with the copy sent to the Secretary of State under paragraph (3) of that paragraph, a statement of their reasons for not taking such steps.

Objections: local inquiry or other hearing

- 7 (1) The planning authority may cause a local inquiry or other hearing to be held for the purpose of considering objections to their proposals for the making or alteration of a simplified planning zone scheme.

Status: This is the original version (as it was originally enacted).

- (2) They shall hold such a local inquiry or other hearing in the case of objections made in accordance with regulations unless all the persons who have made such objections have indicated in writing that they do not wish to appear.
- (3) A local inquiry or other hearing shall be held by a person appointed by the Secretary of State or, in such cases as may be prescribed, by the authority themselves.
- (4) Regulations may—
 - (a) make provision with respect to the appointment, and qualifications for appointment, of persons to hold a local inquiry or other hearing;
 - (b) include provision enabling the Secretary of State to direct a 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) The Tribunals and Inquiries Act 1971 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 section 12(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 planning authority.

Adoption of proposals by planning authority

- 8 (1) After the expiry of the period afforded for making objections to proposals for the making or alteration of a simplified planning zone scheme or, if such objections were duly made within that period, after considering the objections so made, the planning authority may, subject to the following provisions of this paragraph and to paragraph 9 (calling in of proposals by Secretary of State), by resolution adopt the proposals.
- (2) They 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) any other objections to the proposals, or
 - (b) any other considerations which appear to the authority to be material.
- (3) After copies of the proposals have been sent to the Secretary of State and before they have been adopted by the planning authority, the Secretary of State may, if it appears to him that the proposals are unsatisfactory, direct the authority to consider modifying the proposals in such respects as are indicated in the direction.
- (4) An authority to whom a direction is given shall not adopt the proposals unless they satisfy the Secretary of State that they have made the modification necessary to conform with the direction or the direction is withdrawn.

Calling in of proposals for approval by Secretary of State

- 9 (1) After copies of proposals have been sent to the Secretary of State and before they have been adopted by the planning authority, the Secretary of State may direct that the proposals shall be submitted to him for his approval.
- (2) In that event—

Status: This is the original version (as it was originally enacted).

- (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 in respect of the proposals under paragraph 7 ; and
- (b) the proposals shall not have effect unless approved by the Secretary of State and shall not require adoption by the authority.

Approval of proposals by Secretary of State

- 10 (1) The Secretary of State may after considering proposals submitted to him under paragraph 9 either approve them, in whole or in part and with or without modifications, or reject them.
- (2) In considering the proposals he 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.
- (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 approve them—
- (a) consider any objections to them in accordance with regulations,
 - (b) afford to any person who made such an objection which has not been withdrawn an opportunity of appearing before and being heard by a person appointed by him for the purpose, and
 - (c) if a local inquiry or other hearing is held, also afford such an opportunity to the authority and such other persons as he thinks fit,
- except so far as objections have already been considered, or a local inquiry or other hearing into the objections has already been held, by the authority.
- (4) In considering the proposals the Secretary of State may consult with, or consider the views of, any planning authority or any other person; but he is under no obligation to do so, or to afford an opportunity for the making of representations or objections, or to cause a local inquiry or other hearing to be held, except as provided by sub-paragraph (3).

Default powers

- 11 (1) Where by virtue of any of the preceding provisions of this Schedule—
- (a) a simplified planning zone scheme or proposals for the alteration of such a scheme are required to be prepared, or
 - (b) steps are required to be taken for the adoption of any such scheme or proposals,
- then, if the Secretary of State is satisfied, after holding a local inquiry or other hearing, that the planning authority are not taking the steps necessary to enable them to prepare or adopt such a scheme or proposals within a reasonable period, he may make the scheme, or the alterations, as he thinks fit.
- (2) Where under this paragraph anything which ought to have been done by a planning authority is done by the Secretary of State, the preceding 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 planning authority,

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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.

Regulations and directions

- 12 (1) Without prejudice to the preceding provisions of this Schedule, the Secretary of State may make regulations with respect to the form and content of simplified planning zone schemes and with respect 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, matters included or proposed to be included in a simplified planning zone scheme and 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;
 - (c) without prejudice to paragraph (b), 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 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 planning authority to consult with, or consider the views of, other persons before taking any prescribed procedural step;
 - (e) require a 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 in that behalf with copies of any document which has been made public for the purpose mentioned in paragraph 5(2) or has been made available for inspection under paragraph 5(3), 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 Scotland or to specified areas only and may make different provision for different cases.
- (4) Subject to the preceding provisions of this Schedule and to any regulations under this paragraph, the Secretary of State may give directions to any planning authority or to 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.”

Status: This is the original version (as it was originally enacted).

PART IV

CONSEQUENTIAL AMENDMENTS—SCOTLAND

- 1 At the end of subsection (2) of section 31 of the Town and Country Planning (Scotland) Act 1972 (registers) insert " and also containing such information as may be so prescribed with respect to simplified planning zone schemes relating to zones in the authority's area ".
- 2 In section 38 of the Town and Country Planning (Scotland) Act 1972 (limit of duration of planning permission), in subsection (3) (exceptions) after paragraph (ad) insert—
 “(ab) to any planning permission granted by a simplified planning zone scheme ;”.
- 3 In section 51(1) of the Town and Country Planning (Scotland) Act 1972 (applications to determine whether planning permission required) after the word " scheme " insert " or simplified planning zone scheme ".
- 4 After subsection (1)(a) of section 231 of the Town and Country Planning (Scotland) Act 1972 (validity of plans, &c.) insert—
 “(aa) a simplified planning zone scheme or any alteration of any such scheme whether before or after the adoption or approval of the scheme or alteration ; or”.
- 5 In section 232 of the Town and Country Planning (Scotland) Act 1972 (proceedings for questioning plans, &c), after subsection (3) insert—
 “(4) Subsections (1) and (2) of this section apply to a simplified planning zone scheme or an alteration of such a scheme as they apply to a structure plan and an alteration of such a plan, with the following modifications—
 (a) for the references to Part II of this Act substitute references to Part III of this Act, and
 (b) for the reference to regulations under section 16(1) of this Act substitute a reference to regulations under paragraph 12 of Schedule 6A to this Act,
 and with any other necessary modifications.”.
- 6 In section 273 of the Town and Country Planning (Scotland) Act 1972 (orders)—
 (a) in subsection (4), after " 21," insert " 21E, ", and
 (b) in subsection (5), after " 1(3)," insert " 21E, ".
- 7 In section 275(1) of the Town and Country Planning (Scotland) Act 1972 after the definition of " road " insert—
 “'simplified planning zone' and 'simplified planning zone scheme' shall be construed in accordance with section 21A of this Act;”.