

SCHEDULES

SCHEDULE 13

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, or of the British Coal Corporation, 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—
 - (a) proposals for the alteration or repeal and replacement of a structure plan which have been submitted to the Secretary of State under section 32;
 - (b) modifications proposed to be made by the Secretary of State in any such plan or proposals, being modifications of which he has given notice in accordance with regulations under Part II.
- (2) Note (1) shall cease to apply when the copies of the proposals made available for inspection have been withdrawn under section 33(9) or 34 (but section 34(2) shall not invalidate any blight notice served by virtue of Note (1) before the withdrawal of copies of the proposals).
- (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 in force, 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.
- (6) This paragraph does not apply to land within paragraph 5 or 6.

Status: This is the original version (as it was originally enacted).

- (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 and all references to alteration and repeal and replacement shall be omitted.

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 in force 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

- (1) In this paragraph the reference to a local plan in force includes a reference to—
- (a) a local plan of which copies have been made available for inspection under section 39(5);
(b) proposals for the alteration or repeal and replacement of a local plan of which copies have been made available for inspection under section 39(5) or 40(2);
(c) modifications proposed to be made by the local planning authority or the Secretary of State in any such plan or proposals as are mentioned in paragraph (a) or (b), being modifications of which notice has been given by the authority or the Secretary of State in accordance with regulations under 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 41(4).
- (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 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.
- (5) In the application of this paragraph to Greater London—
- (a) in Note (1) for the reference in paragraph (a) to section 39(5) there shall be substituted a reference to paragraph 8(2) of Part II of Schedule 2 and for the reference in paragraph (b) to that section there shall be substituted a reference to that paragraph as applied by paragraph 12 of that Part;
(b) in Note (2) for the reference to section 41(4) there shall be substituted a reference to paragraph 11(2) of that Part.

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

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

- (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 13(3);
 - (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) or under section 22;
 - (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 13(7) or 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).

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) a unitary development plan of which copies have been made available for inspection under section 13(3);
 - (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) or under section 22;
 - (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 13(7) or 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—

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

- (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).
- 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 functions of a government department, local authority or statutory undertakers.
- 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.