

Status: Point in time view as at 25/11/1991.

Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, SCHEDULE 19. (See end of Document for details)

SCHEDULES

SCHEDULE 19

Section 84.

REPEALS

Modifications etc. (not altering text)

- C1** Sch. 19 restricted (18.9.1991) so far as it relates to certain repeals in Pt. IV by S.I. 1991/2092, art. 4, Sch. 2 Pt.I para. 6, Pt.II para. 8

Commencement Information

- II** Sch. 19: for commencement information relating to this Schedule see in force commentary attached to Pts. I-V respectively.

PART I

PLANNING: ENGLAND AND WALES

Commencement Information

- I2** Sch. 19 Pt. I wholly in force; Sch. 19 Pt. I not in force at Royal Assent see s. 84(2); Sch. 19 Pt. I in force in so far as it relates to specified repeals as follows: at 25.9.1991 by S.I. 1991/2067, art. 3, Sch. 1; at 2.1.1992 by S.I. 1991/2905, art. 3, Sch. 1 (subject to art. 5 of that S.I.); at 10.2.1992 by S.I. 1991/2905, art. 4, Sch. 3; at 6.4.1992 by S.I. 1992/665, art. 2; at 17.7.1992 by S.I. 1992/1491, art. 2, Sch. 2; at 27.7.1992 by S.I. 1992/1630, art. 2, Sch. 2; at 9.11.1992 by S.I. 1992/2831, art. 2, Sch.

Chapter	Short title	Extent of repeal
1976 c. 57.	Local Government (Miscellaneous Provisions) Act 1976.	In section 7(5) paragraph (a) (iii).
1990 c. 8.	Town and Country Planning Act 1990.	In section 12(4)(a), “other” (in the second place where it occurs) and “or for any description of development or other use of such land”. Section 14(3). In section 21(2) “Subject to section 22”. Section 22.

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Section 23(2) to (4), (9) and (10).

In section 49 “repeal”.

In section 50, in subsection (1) “for the repeal and”, subsections (2) and (3), in subsections (4) and (5) “repeal and”, in subsection (6) “repeal”, in paragraph (a) the words from the beginning to “except that”, “or 40(2)(a)” and “or 40(3)” and in paragraph (b) “and they may do so as respects any part of their area to which the proposals relate” and in subsection (8) “repeal” and “in accordance with the provisions of the relevant local plan scheme”.

In section 51(1) “repeal” (in both places).

Section 52(2) and (3).

In section 53, in subsections (1) and (2)(b) “repeal”, in subsection (2)(g) “repealing” and subsection (5).

Section 55(6).

Section 63.

Section 64.

In section 69, in subsection (1) “made to that authority” and in subsection (3) “made to the authority”.

In section 74(2) “section 71 of this Act and”.

In section 97(5) the words from “and Part II of Schedule 5” to the end.

In section 176(4) “in writing”.

In section 178(2) “(as defined in section 172(3))”.

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In section 186(1)(c) the words from “or for its retention” to “granted”.

In section 188(1) the “and” immediately preceding paragraph (b).

Section 190(4).

In section 196 “an application referred to him under section 192(5) or” (in subsection (1)), and “an application or” (in subsection (3)), and subsections (5) to (7).

In section 198(4)(a) “to 68”.

In section 210, in subsection (3) “on indictment” and subsection (5).

Section 219(6).

In section 220(3)(a) “to 68”.

Section 221(7) to (9).

Section 250(2).

Section 266(3).

In section 284, in subsection (1)(a) “repeal” (in both places) and in subsection (3)(g) the words from “on an application” to “or”.

In section 285, in subsection (1) “Subject to the provisions of this section”, in subsection (2) “(6) to (8)” and subsections (5) and (6).

Section 286(1)(b).

In section 287(1), (2), (3) and (5) “repeal” in each place where it occurs.

Section 290.

In section 306(2) “repeal”.

In section 324, in subsection (1)(b) “198 to

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200”, in subsection (1)(c)
“Part VII” and subsection (2).

In section 336(1), the definitions of “development consisting of the winning and working of minerals”, “established use certificate” and “mineral compensation modifications”, in the definition of “owner” the words “(except in sections 66, 67 and 71)”, in the definition of “planning permission” the words from “and in construing” to the end, the definitions of “relevant order”, “restriction on the winning and working of minerals” and “special consultations” and in section 336(9) “(1) to (3)”.

In Schedule 1, paragraphs 1(2), 3(3) to (6), 4(1) and 9(2) and (3).

In Schedule 2, in Part I paragraphs 3, 5 and 6, and in Part II paragraphs 3 to 16 and 18.

In Schedule 5, in paragraph 1(6) “consisting of the winning and working of minerals”.

In Schedule 6, in paragraph 2, in sub-paragraph (1)(c) “and subsection (5) of section 196” and in sub-paragraph (8) “or 290”.

In Schedule 7, in paragraph 13(2)(e) the words from “for the purpose” to “6(2)”.

Schedule 11.

In Schedule 13, Notes (2) and (5) to paragraph 2, in Note (3) to paragraph 2 “also”, in Note (1)(b) to paragraph 3 “or under section 22”, in Note (2) to paragraph 3 “13(7) or”, in Note (1)(b) to paragraph 4 “or under

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		section 22” and in Note (2) to paragraph 4 “13(7) or”.
		In Schedule 16, in Part I, in the entry relating to section 77 “(2) and (9), 66 and 67”, in the entry relating to sections 78 and 79 the words from “with” to the end and in the entry relating to section 285 “except subsections (5) and (6)”; and in Part III, the entries relating to sections 312(2) and 324(4); and Parts IV and V.
1990 c. 9.	Planning (Listed Buildings and Conservation Areas) Act 1990.	<p>In section 9(5) “on indictment”.</p> <p>In section 38(2) “within such period as may be so specified”.</p> <p>In section 39(7) “in writing”.</p> <p>Section 42(7).</p> <p>Section 55(6).</p> <p>In section 88(6) “or the presence of minerals in it”.</p> <p>In section 90(6)(b) “and 42(6)”.</p> <p>In section 92(2)(b) “and 42(6)”.</p>
1990 c. 10.	Planning (Hazardous Substances) Act 1990.	<p>In section 25(1)(c) “(1) to (5) and (7)”.</p> <p>In section 36(5) “Subject to subsection (6)”.</p>
1990 c. 11.	Planning (Consequential Provisions) Act 1990.	<p>In Schedule 2, paragraphs 3(2), 35(1)(b) and 38.</p> <p>In Schedule 4, in paragraph 1, in the Table the entry relating to section 9(4) of the 1971 Act and paragraph 2 of the Schedule, and paragraph 2 of the Schedule.</p>

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PART II

PLANNING COMPENSATION REPEALS

Modifications etc. (not altering text)

C2 Sch. 19 Pt. II restricted (9.9.1991) by S.I. 1991/2067, art. 4, Sch. 2 Pt. II para. 7(1)

Commencement Information

I3 Sch. 19 Pt. II wholly in force; Sch. 19 Pt. II in force at Royal Assent in relation to specified repeals see s. 84(4); Sch. 19 Pt. II in force in so far as not already in force at 25.9.1991 by S.I. 1991/2067, art. 3.

Chapter	Short title	Extent of repeal
1961 c. 33.	Land Compensation Act 1961.	In section 15(4) paragraphs (a) and (b).
1965 c. 36.	Gas Act 1965.	In Schedule 3, paragraph 3.
1968 c. 14.	Public Expenditure and Receipts Act 1968.	In Schedule 3, paragraph 7(b).
1973 c. 26.	Land Compensation Act 1973.	In section 5(3), paragraphs (a) and (b).
1982 c. 16.	Civil Aviation Act 1982.	In section 53(1)(a) “114”.
1986 c. 31.	Airports Act 1986.	In section 61(1)(a) “114”.
1990 c. 8.	Town and Country Planning Act 1990.	Section 55(6).
		Sections 80 and 81.
		In section 111(1) and (2) “new” (in both places).
		In section 112, in subsection (9) “new”, subsection (12)(a) and in subsection (13) “paragraph (a) or paragraph (b) of”.
		Sections 113 and 114.
		Part V.
		In section 198(4)(a) “80, 81”.
		In section 220(3)(a) “80, 81”.
		In section 262(4) and (7)(a) “123”.
		In section 263(3) “123(3) and (4)”.
		Section 284(3)(c).

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		<p>In section 308, in subsection (1)(b) “or 132(1)”, in subsection (2) “or, as the case may be, section 132(4)” and in subsection (6) “and in section 309”.</p> <p>Section 309.</p> <p>In section 310 “or 309”.</p> <p>In section 311(1)(b) “or V”.</p> <p>Section 312.</p> <p>In section 313 “Without prejudice to section 312, and”.</p> <p>In section 315(2), the words from “and in relation” to “in respect of such land”.</p> <p>Section 324(4).</p> <p>Sections 326 and 327.</p> <p>In section 336(1) the definitions of “new development” and “previous apportionment”.</p> <p>In Schedule 1, in paragraph 16(1) “114”.</p> <p>In Schedule 3, paragraphs 3 to 8, 11 and 14.</p> <p>Schedule 12.</p> <p>In Schedule 16, in Parts III and VI, the entries relating to Schedule 12.</p>
1990 c. 9.	Planning (Listed Buildings and Conservation Areas) Act 1990.	<p>Section 27.</p> <p>In section 30, subsection (1) (a) and in subsection (2) “27”.</p> <p>In section 49 the words from “other than” to the end.</p> <p>In section 88(4) “27”.</p> <p>In section 91(2) “new development”.</p>
1990 c. 11.	Planning (Consequential Provisions) Act 1990.	<p>In Schedule 2, paragraphs 12(3)(a), 18, 24(3)(a)(i)</p>

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and, in paragraph 29(2)
paragraph (a) and, in
paragraph (b), sub-paragraphs
(i) and (ii).

The repeals in Part II have effect subject to section 31(7) and (8) of this Act and paragraphs 1(2), 5(2) and 13(2) of Schedule 6.

PART III

LAND COMPENSATION: ENGLAND AND WALES

Modifications etc. (not altering text)

C3 Sch. 19 Pt. III restricted (9.9.1991) by S.I. 1991/2067, art. 4, Sch. 2 Pt. I para. 6, Pt. II para. 7(2)

Commencement Information

I4 Sch. 19 Pt. III wholly in force at 25.09.1991 see s. 84(2)(3) and S.I. 1991/2067, art. 3 (subject to art. 4 of that S.I.).

Chapter	Short title	Extent of repeal
1961 c. 33.	Land Compensation Act 1961.	In section 5, in rule (3), “the special needs of a particular purchaser or”. Section 17(8). Section 22(3).
1973 c. 26.	Land Compensation Act 1973.	In section 29, in subsection (1) “passed the resolution” in paragraph (ii) and the “and” following paragraph (iii), in subsection (3A) the words from “of the service” to “(1)(b) above” and subsection (5). Section 34(6). In section 52(10), the words following “unpaid”.
1973 c. 56.	Land Compensation (Scotland) Act 1973.	In Part II of Schedule 2, the entry for section 33(4) of the Land Compensation Act 1973.
1980 c. 65.	Local Government, Planning and Land Act 1980.	Section 114(2).
1981 c. 67.	Acquisition of Land Act 1981.	Section 20.Paragraph 7 of Schedule 3.

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1985 c. 71.	Housing (Consequential Provisions) Act 1985.	In Schedule 2, paragraph 24(2)(c).
1986 c. 63.	Housing and Planning Act 1986.	Section 9(3)(c).
1990 c. 8.	Town and Country Planning Act 1990.	In section 231, the words from “for a purpose” to “is situated”.
1990 c. 11.	Planning (Consequential Provisions) Act 1990.	In Schedule 2, paragraph 29(4).

PART IV

SCOTLAND

Modifications etc. (not altering text)

- C4** Sch. 19 restricted (18.9.1991) in so far as it relates to certain repeals in Pt. IV by S.I. 1991/2092, art. 4, Sch. 2 Pt. I para. 6, Pt. II para. 8

Commencement Information

- I5** Sch. 19 Pt. IV partly in force; Sch. 19 Pt. IV in force at Royal Assent in so far as it relates to specified repeals see s. 84(2)(4); Sch. 19 Pt. IV in force in so far as it relates to further specified repeals as follows: at 25.9.1991 by S.I. 1991/2067, art. 3, Sch. 1 and by S.I. 1991/2092, art. 3; at 26.3.1992 by S.I. 1992/334, art. 4, Sch. 1 (subject to art. 5 of that S.I.); at 25.9.1992 by S.I. 1992/1937, art. 4, Sch. (subject to art. 5 of that S.I.); at 3.2.1995 by 1994/3292, art. 3

Chapter	Short title	Extent of repeal
1963 c.51	Land Compensation (Scotland) Act 1963.	In section 12, in rule 3, the words “the special needs of a particular purchaser or”. Section 23(4)(a) and (b). Section 25(8). Section 30(3).
1965 c. 36.	Gas Act 1965.	In Schedule 3, paragraph 3.
1968 c. 14.	Public Expenditure and Receipts Act 1968.	In Schedule 3, paragraph 7(a).
1972 c. 52.	Town and Country Planning (Scotland) Act 1972.	Section 19(5). In section 28(1), the words “Subject to the provisions of section 26(2) to (5) of this Act,”. Section 35.

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Section 36.

In section 41A(6) and (7), the words “consisting of the winning and working of minerals”.

Section 51.

In section 58(2)(a), “35, 36,”.

Section 61(6).

In section 85, in subsection (5), the words “or for varying the terms of the notice in favour of the appellant”; and subsection (11).

In section 88(1), the words “(other than the discontinuance of a use of land)”.

In section 88(2), the words “(as defined in section 84(2) of this Act)”.

Section 91(3) and (5).

In section 93, subsection (1) (k) and, in subsection (5), the words “or for varying the terms of the notice in favour of the appellant”.

In section 98(1), the words “on indictment” where second occurring.

Section 98(3).

Section 101(1) and, in subsection (2), the words from “Without” to “this section”.

In section 106, the words from “other than” to the end.

Part VII (except section 145).

Section 153A.

In section 155(5), the words from “and subsection (5)” to the end.

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In section 155(6), the words
“and in section 156 of this
Act”.

Section 156.

Section 157(1).

In section 157(3), the words
from “(a)” to “(b)” and,
in the proviso, the words
“paragraph (a) or”.

Section 157(4).

Section 158.

Section 159A.

Section 159B.

Section 160.

In section 166(2)(c), the
words from “or for its
retention” to “granted”.

Section 167B.

Section 167C.

Section 169(3).

In section 201(5), the
definition of “lawful access”.

Section 214(3).

Section 231(3)(c).

Section 234.

In section 244(2), the words
from “subsection (4)” to
“applied by”.

Section 245.

In section 246, the words “or
245”.

Section 248.

In section 249, the words
“Without prejudice to
section 248 of this Act, and”.

In section 251(1A), the
definition of “development
consisting of the winning and
working of minerals”.

Section 263.

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Section 264.

In section 265, in subsection (1)(b), the words “58 or”; subsection (2A) (a); in subsection (4), the words “or 99”; and in subsection (5), the words “Part VII of”.

In section 275(1), the definitions of “development consisting of the winning and working of minerals”, “established use certificate”, and “new development”; in the definition of “planning permission” the words from “and in construing” to the end; and the definition of “previous apportionment”.

In Schedule 6, paragraphs 3 to 9 and 12.

In Schedule 6A, in paragraph 12(2)(e), the words from “for the purpose” to “5(3)”.

In Schedule 7, in paragraph 2(1)(c), the words “and (3)”.

Schedules 12 to 15.

In Part I of Schedule 19, “section 158 except subsection (5)”.

1973 c. 56.

Land Compensation
(Scotland) Act 1973.

Section 5(3)(a) and (b).

In section 27, in subsection (1), the words “passed the resolution” in paragraph (ii), and the word “and” following paragraph (iii); and subsection (5).

Section 31(6).

Section 48(9)(b).

In Part II of Schedule 2, the entry for section 33(4) of the Land Compensation Act 1973.

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1980 c. 65.	Local Government, Planning and Land Act 1980.	Section 114(2).
1982 c. 16.	Civil Aviation Act 1982.	In section 53(1)(a), the word “158”.
1986 c. 31.	Airports Act 1986.	In section 61(1)(a), the word “158”.

PART V

NEW STREET BYELAWS

Commencement Information

I6 Sch. 19 Pt. V wholly in force at 25.09.1991 see s. 84(2)(3) and S.I. 1991/2067, art. 3.

Chapter	Short title	Extent of repeal
1980 c. 66.	Highways Act 1980.	Part X. Section 203(2)(b)(ii). In section 232(9), in the definition of “byelaw width”, the word “byelaws”. In section 307(1) the words “193, 200(2)”. Section 325(1)(c). In section 326(1) the words “or 186”. In Schedule 22 paragraph 4. In Schedule 23 paragraphs 10 and 11.
1985 c. 51.	Local Government Act 1985.	In Schedule 4, paragraphs 29 to 32.
1985 c. 68.	Housing Act 1985.	In section 622, in the definition of “building regulations”, paragraph (b).
1990 c. 8.	Town and Country Planning Act 1990.	In paragraph 2 of Schedule 17 the words— “Sections 188, 193 and 196 Section 200(2) and (4)”. In Schedule 17, in paragraph 3, sub-paragraphs (a) and (c) (iii).

The repeals in Part V are subject to the savings in section 81(2) of this Act.

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