

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

SCHEDULES

SCHEDULE 5 **E+W**

SIMPLIFIED PLANNING ZONES

Commencement Information

- II** Sch. 5 wholly in force; Sch. 5 not in force at Royal Assent see s. 84(2); Sch. 5 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2 and in force at 9.11.1992 so far as not already in force by S.I. 1992/2413, art. 2 (subject to art. 3 of that S.I.).

PART II **E+W**

MINOR AND CONSEQUENTIAL AMENDMENTS

- 3 In Schedule 1 to that Act, paragraph 9(2) and (3) is omitted.

Commencement Information

- II** Sch. 5 para. 3 wholly in force; Sch. 5 para. 3 not in force at Royal Assent see s. 84(2); Sch. 5 para. 3 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2 and in force at 9.11.1992 so far as not already in force by S.I. 1992/2413, art. 2 (subject to art. 3 of that S.I.).

- 4 Schedule 7 to that Act is amended as follows.

Commencement Information

- II** Sch. 5 para. 4 wholly in force; Sch. 5 para. 4 not in force at Royal Assent see s. 84(2); Sch. 5 para. 4 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2 and in force at 9.11.1992 so far as not already in force by S.I. 1992/2413, art. 2 (subject to art. 3 of that S.I.).

- 5 At the end of paragraph 4(1) there is added “ 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. ”

Commencement Information

- I3** Sch. 5 para. 5 wholly in force; Sch. 5 para. 5 not in force at Royal Assent see s. 84(2); Sch. 5 para. 5 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2 and in force at 9.11.1992 so far as not already in force by S.I. 1992/2413, art. 2 (subject to art. 3 of that S.I.).

- 6 In paragraph 8(4) for “to hold a local inquiry or other hearing” there is substituted “ for the purposes of this paragraph ”.

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Commencement Information

- I4** Sch. 5 para. 6 wholly in force; Sch. 5 para. 6 not in force at Royal Assent see s. 84(2); Sch. 5 para. 6 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2 and in force at 9.11.1992 so far as not already in force by S.I. 1992/2413, art. 2 (subject to art. 3 of that S.I.).

- 7 (1) In paragraph 9 for sub-paragraph (1) there is substituted—

“(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) In sub-paragraph (3) of that paragraph for “consider modifying” there is substituted “modify”.

Commencement Information

- I5** Sch. 5 para. 7 wholly in force; Sch. 5 para. 7 not in force at Royal Assent see s. 84(2); Sch. 5 para. 7 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2 and in force at 9.11.1992 so far as not already in force by S.I. 1992/2413, art. 2 (subject to art. 3 of that S.I.).

- 8 In paragraph 10(2)(a) after “hearing” there is inserted “ or any consideration of objections ”.

Commencement Information

- I6** Sch. 5 para. 8 wholly in force; Sch. 5 para. 8 not in force at Royal Assent see s. 84(2); Sch. 5 para. 8 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2 and in force at 9.11.1992 so far as not already in force by S.I. 1992/2413, art. 2 (subject to art. 3 of that S.I.).

- 9 For paragraph 12(1) there is substituted—

“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.”

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17 Sch. 5 para. 9 wholly in force; Sch. 5 para. 9 not in force at Royal Assent see s. 84(2); Sch. 5 para. 9 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2 and in force at 9.11.1992 so far as not already in force by S.I. 1992/2413, art. 2 (subject to art. 3 of that S.I.).

- 10 In paragraph 13(2)—
- (a) after paragraph (b) there is inserted—
 - “(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;” and
 - (b) in paragraph (e) the words from “for the purpose” to “6(2)” are omitted.

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Commencement Information

18 Sch. 5 para. 10 wholly in force; Sch. 5 para. 10 not in force at Royal Assent see s. 84(2); Sch. 5 para. 10 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2 and in force at 9.11.1992 so far as not already in force by S.I. 1992/2413, art. 2 (subject to art. 3 of that S.I.).

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