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**Changes to legislation:** There are currently no known outstanding effects for the Planning (Consequential Provisions) Act 1990, Paragraph 79. (See end of Document for details)

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## SCHEDULES

### SCHEDULE 2

#### CONSEQUENTIAL AMENDMENTS

##### *The Housing Act 1988 (c. 50)*

- 79 (1) In section 28(6) of the Housing Act 1988, for the words “has the same meaning as in section 43(3) of the Town and Country Planning Act 1971” there shall be substituted the words “has the meaning given in section 56(6) of the Town and Country Planning Act 1990”.
- (2) In section 66 of that Act—
- (a) in subsection (2) for the words “section 24 of the 1971 Act” and “that section” there shall be substituted respectively the words “sections 59 to 61 of the 1990 Act” and “section 59”;
  - (b) in subsection (3) for the words “section 54(1) of the 1971 Act” there shall be substituted the words “section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990”;
  - (c) in subsection (4)(a) for the words “section 1 of the 1971 Act” there shall be substituted the words “sections 1 and 2 of the 1990 Act”;
  - (d) in subsection (4)(b) for the words “paragraph 32 of Schedule 16 to the Local Government Act 1972” there shall be substituted the words “paragraph 1 of Schedule 1 to the 1990 Act”.
- (3) In section 67 of that Act—
- (a) in subsection (1) for the words from the beginning to “Act” there shall be substituted the words “The Secretary of State may by order provide that, for such purposes of Part III of the 1990 Act and sections 67 and 73 of the Planning (Listed Buildings and Conservation Areas) Act 1990,” and the words from “in place” onwards shall be omitted;
  - (b) in subsection (3)—
    - (i) in paragraph (a) for the words from “Parts” to “Act” there shall be substituted the words “the provisions mentioned in subsection (3A) below”;
    - (ii) in paragraph (b) for the words from “Part” to “Act” there shall be substituted the words “Part VI and sections 249 to 251 and 258 of the 1990 Act and sections 32 to 37 of the Planning (Listed Buildings and Conservation Areas) Act 1990”;
  - (c) after subsection (3) there shall be inserted—
    - “(3A) The provisions referred to in subsection (3)(a) above are sections 96, 100, 104, 172 to 185, 187 to 202, 206 to 222, 224, 225, 231 and 320 to 336 of and paragraph 11 of Schedule 9 to the 1990 Act, Chapters I, II and IV of Part I and sections 54 to 56, 59 to 61, 66, 68 to 72, 74 to 76 and 88 of the Planning (Listed Buildings and Conservation

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Areas) Act 1990 and sections 4 to 15, 17 to 21, 23 to 25 and 36 of the Planning (Hazardous Substances) Act 1990.”;

(d) subsections (5) and (6) shall be omitted.

(4) For paragraph (g) of section 92(1) of that Act there shall be substituted—

“(g) “the 1990 Act” means the Town and Country Planning Act 1990”.

(5) In Part I of Schedule 9 to that Act—

(a) in paragraph 3(1)(a) for the words “the Town and Country Planning Act 1971” there shall be substituted the words “the Town and Country Planning Act 1990”;

(b) in paragraph 4(b) for the words “the Town and Country Planning Act 1971” there shall be substituted the words “the Town and Country Planning Act 1990, the Planning (Listed Buildings and Conservation Areas) Act 1990 or the Planning (Hazardous Substances) Act 1990”.

(6) In Part II of Schedule 10 to that Act—

(a) in paragraph 12(6) for the words “Sections 238 and 240 of the Town and Country Planning Act 1971” and “section 237(2)” there shall be substituted respectively the words “Sections 280 and 282 of the Town and Country Planning Act 1990” and “section 279(2)”;

(b) in paragraph 14(8) for the words “Sections 238 and 240 of the Town and Country Planning Act 1971” and “section 237(3)” there shall be substituted respectively the words “Sections 280 and 282 of the Town and Country Planning Act 1990” and “section 279(4)”.

**Changes to legislation:**

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