

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

SCHEDULES

SCHEDULE 7

PLANNING IN ENGLAND AND WALES: MINOR AND CONSEQUENTIAL AMENDMENTS

Part XV

48 After section 316 there is inserted—

“316A Local planning authorities as statutory undertakers.

In relation to statutory undertakers who are local planning authorities, section 283 and the provisions specified in that section shall have effect subject to such exceptions and modifications as may be prescribed.”

Commencement Information

- I1** Sch. 7 para. 48 wholly in force; para. 48 not in force at Royal Assent see s. 84(2); para. 48 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2; para. 48 in force at 17.7.1992 insofar as not already in force by S.I. 1992/1491, art. 2, Sch. 1

49 For section 319 there is substituted—

“319 The Isles of Scilly.

- (1) This Act applies to the Isles of Scilly subject to such exceptions, adaptations and modifications as the Secretary of State may by order direct.
- (2) An order under this section may in particular provide for the exercise by the Council of the Isles of Scilly of any functions exercisable by a local planning authority or mineral planning authority.
- (3) Before making an order under this section the Secretary of State shall consult with that Council.”

Commencement Information

- I2** Sch. 7 para. 49 wholly in force; para. 49 not in force at Royal Assent see s. 84(2); para. 49 in force for certain purposes at 25.11.1991 by S.I. 1991/2728, art. 2; para. 49 in force at 27.7.1992 insofar as not already in force by S.I. 1992/1630, art. 2, Sch. 1

- 50 (1) Section 325 is amended as follows.
- (2) In subsection (1)(a) after “authority” there is inserted “ and state the purpose of his entry ”.
 - (3) In subsection (2), for “level 2” there is substituted “ level 3 ”.

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(4) In subsection (4), for “premises” there is substituted “ land ”.

Commencement Information

I3 Sch. 7 para. 50 wholly in force at 2.1.1992 see s. 84(2)(3) and S.I. 1991/2905, arts. 3, 5, **Sch. 1**

51 At the end of section 329 there is inserted—

“(4) This section is without prejudice to section 233 of the ^{M1}Local Government Act 1972 (general provisions as to service of notices by local authorities).”

Commencement Information

I4 Sch. 7 para. 51 wholly in force at 25.9.1991, see s. 84(2)(3) and S.I. 1991/2067, **art. 3**

Marginal Citations

M1 1972 c. 70.

52 (1) Section 336 is amended as follows.

(2) In subsection (1)—

(a) after the definition of “authority to whom Part II of the 1959 Act applies” there is inserted—

““breach of condition notice” has the meaning given in section 187A;

“breach of planning control” has the meaning given in section 171A”;

(b) at the end of the definition of “buildings or works” there is inserted “ and references to the removal of buildings or works include demolition of buildings and filling in of trenches ”; and

(c) for the definition of “building operations” there is substituted—

““building operations” has the meaning given by section 55”;

(d) the definition of “established use certificate” is omitted,

(e) in the definition of “owner” the words “(except in sections 66, 67 and 71)” are omitted,

(f) after the definition of “the planning Acts” there is inserted—

““planning contravention notice” has the meaning given in section 171C”, and

(g) in the definition of “planning permission” the words from “and in construing” to the end are omitted.

(3) In subsection (9) for “in Part V of Schedule 16” there is substituted “ of Parts III, VII and VIII ” and “(1) to (3)” is omitted.

(4) In subsection (10) for “sections 324(2) and” there is substituted “ section ”.

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Modifications etc. (not altering text)

C1 Sch. 7 para. 52(2)(c) restricted (1.6.1992) by S.I. 1992/1279, **art.3**

Commencement Information

I5 Sch. 7 para. 52 wholly in force; para. 52 not in force at Royal Assent see s. 84(2); para. 52(1)(2)(b)(f)(g)(4) wholly in force and para. 52(2)(a) in force to a certain extent at 2.1.1992 by S.I. 1991/2905, art. 3, **Sch. 1** (subject to art. 5 of that S.I.); para. 52(2)(e)(3) wholly in force at 17.7.1992 by S.I. 1992/1491, art. 2, **Sch. 1**; para. 52(2)(c) wholly in force at 27.7.1992 by S.I. 1992/1279, **art. 2** (subject to art. 3 of that S.I.); para. 52(2)(a) in force insofar as not already in force and para. 52(2)(d) wholly in force at 27.7.1992 by S.I. 1992/1630, art. 2, **Sch. 1**

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