
STATUTORY INSTRUMENTS

2004 No. 2593 (C.112)

**ACQUISITION OF LAND,
ENGLAND AND WALES**

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Planning and Compulsory Purchase Act
2004 (Commencement No. 3) Order 2004

Made - - - - 4th October 2004

The First Secretary of State, in exercise of the powers conferred upon him by section 121(1) and (2) of the Planning and Compulsory Purchase Act 2004⁽¹⁾ and all other powers enabling him in that behalf, and after consultation with the National Assembly for Wales, hereby makes the following Order:

Citation

1. This Order may be cited as the Planning and Compulsory Purchase Act 2004 (Commencement No. 3) Order 2004.

Provisions coming into force

2. To the extent to which they have not already been commenced, the following provisions of the Planning and Compulsory Purchase Act 2004 shall come into force on 31 October 2004:

- (a) Part 8;
- (b) section 111(2);
- (c) in Schedule 6, paragraph 7;
- (d) in Schedule 7, paragraphs 4, 5, 7, 9, 10(1) to (6), 11(4) and (5), 12 to 15, 18, and 21; and
- (e) in Schedule 9, the repeals relating to—
 - (i) the Land Compensation Act 1973⁽²⁾;
 - (ii) the Welsh Development Agency Act 1975⁽³⁾;

(1) 2004 c. 5.
(2) 1973 c. 26.
(3) 1975 c. 70.

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- (iii) the Local Government, Planning and Land Act 1980**(4)**;
- (iv) the Highways Act 1980**(5)**;
- (v) the Housing Act 1988**(6)**;
- (vi) in the Town and Country Planning Act 1990**(7)**, sections 226 and 245;
- (vii) in the Planning and Compensation Act 1991**(8)**, Schedule 18;
- (viii) the Leasehold Reform, Housing and Urban Development Act 1993**(9)**; and
- (ix) the Regional Development Agencies Act 1998**(10)**.

Signed by the authority of the First Secretary of State

4th October 2004

Keith Hill
Minister of State,
Office of the Deputy Prime Minister

(4) 1980 c. 65.
(5) 1980 c. 66.
(6) 1988 c. 50.
(7) 1990 c. 8.
(8) 1991 c. 34.
(9) 1993 c. 28.
(10) 1998 c. 45.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 31 October 2004 Part 8 (compulsory purchase) and section 111(2) (application to the Crown) of the Planning and Compulsory Purchase Act 2004, together with certain consequential amendments in Schedules 6 and 7 and repeals in Schedule 9.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Act have been brought into force by commencement orders made before the date of this Order:

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|---|-----------------------------|---------------------------|
| Sections 1 to 3 (partially) | 6th August 2004 | 2004/2097 |
| Sections 1 to 3 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 4 as to England | 28th September 2004 | 2004/2202 |
| Section 5 (partially) | 6th August 2004 | 2004/2097 |
| Section 5 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Sections 6 and 7 as to England | 28th September 2004 | 2004/2202 |
| Section 8 (partially) | 6th August 2004 | 2004/2097 |
| Section 8 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 9 as to England | 28th September 2004 | 2004/2202 |
| Sections 10 to 15 (partially) | 6th August 2004 | 2004/2097 |
| Sections 10 to 15 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 16 (partially) | 6th August 2004 | 2004/2097 |
| Section 16 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 17 (partially) | 6th August 2004 | 2004/2097 |
| Section 17 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 18 as to England | 28th September 2004 | 2004/2202 |

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| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|---------------------------|
| Sections 19 to 22 (partially) | 6th August 2004 | 2004/2097 |
| Sections 19 to 22 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 23 as to England | 28th September 2004 | 2004/2202 |
| Sections 24 to 26 (partially) | 6th August 2004 | 2004/2097 |
| Sections 24 to 26 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 27 as to England | 28th September 2004 | 2004/2202 |
| Sections 28 and 29 (partially) | 6th August 2004 | 2004/2097 |
| Sections 28 and 29 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 30 as to England | 28th September 2004 | 2004/2202 |
| Section 31 (partially) | 6th August 2004 | 2004/2097 |
| Section 31 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 32 to 34 as to England | 28th September 2004 | 2004/2202 |
| Sections 35 and 36 (partially) | 6th August 2004 | 2004/2097 |
| Sections 35 and 36 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Sections 37 to 39 as to England | 28th September 2004 | 2004/2202 |
| Sections 40 to 42 (partially) | 6th August 2004 | 2004/2097 |
| Section 44 (partially) | 6th August 2004 | 2004/2097 |
| Sections 46 to 50 (partially) | 6th August 2004 | 2004/2097 |
| Sections 52 to 54 (partially) | 6th August 2004 | 2004/2097 |
| Section 56 as to England and Wales | 28th September 2004 | 2004/2202 |
| Section 57 (partially) | 6th August 2004 | 2004/2097 |
| Section 57 as to England and Wales (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 58 as to England and Wales | 28th September 2004 | 2004/2202 |
| Section 59 (partially) | 6th August 2004 | 2004/2097 |

| <i>Provision</i> | <i>Date of Commencement</i> | <i>S.I. No.</i> |
|--|-----------------------------|-----------------|
| Section 59 as to England and Wales (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Sections 79 to 83 (partially) | 6th August 2004 | 2004/2097 |
| Section 88 (partially) | 6th August 2004 | 2004/2097 |
| Section 91 (partially) | 6th August 2004 | 2004/2097 |
| Sections 100 and 101 (partially) | 6th August 2004 | 2004/2097 |
| Section 113 as to England | 28th September 2004 | 2004/2202 |
| Section 114 as to England (partially) | 28th September 2004 | 2004/2202 |
| Section 116 (partially) | 6th August 2004 | 2004/2097 |
| Section 117(1) to (7) (partially) | 6th August 2004 | 2004/2097 |
| Section 117(1) to (7) as to England and Wales (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 118 except subsection (2) in so far as it relates to the Town and Country Planning (Scotland) Act 1997 (partially) | 6th August 2004 | 2004/2097 |
| Section 118 except subsection (2) in so far as it relates to the Town and Country Planning (Scotland) Act 1997 (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 119(1) (partially) | 6th August 2004 | 2004/2097 |
| Section 119(1) as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Section 120 except in so far as it relates to the Town and Country Planning (Scotland) Act 1997, to the Planning (Hazardous Substances) (Scotland) Act 1999 or to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (partially) | 6th August 2004 | 2004/2097 |
| Section 120 except in so far as it relates to the Town and Country Planning (Scotland) Act 1997, to the Planning | 28th September 2004 | 2004/2202 |

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|---|-----------------------------|---------------------------|
| (Hazardous Substances) (Scotland) Act 199) or to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (in so far as not already in force) | | |
| Schedule 1 (partially) | 6th August 2004 | 2004/2097 |
| Schedule 2 paragraph 3 (partially) | 6th August 2004 | 2004/2097 |
| Schedule 3 paragraphs 6 to 8 and 10 to 12 (partially) | 6th August 2004 | 2004/2097 |
| Schedule 6 paragraphs 1, 3, 14, 16, 19, 20, 23, 24, 26, and 27 (partially) | 6th August 2004 | 2004/2097 |
| Schedule 6 paragraphs 1, 8 to 13, 15, 16(1) and (2), 17 to 19, 21, 22 and 25 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Schedule 6 paragraphs 20, 23, 24 and 26 as to England and Wales (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Schedule 7 paragraph 19 (partially) | 6th August 2004 | 2004/2097 |
| Schedule 7 paragraphs 2, 3, 6, 8, 11(1) to (3), 16, 17, 19(2), 22 and 23 as to England (in so far as not already in force) | | |
| Schedule 8 paragraphs 4, 9, 17 and 18 (partially) | 6th August 2004 | 2004/2097 |
| Schedule 8 as to England (in so far as not already in force) | 28th September 2004 | 2004/2202 |
| Schedule 9 as to England (partially) | 28th September 2004 | 2004/2202 |
| Schedule 9 as to England and Wales (partially) | 28th September 2004 | 2004/2202 |