

2010 No. 321 (C. 26)

**TOWN AND COUNTRY PLANNING, ENGLAND AND
WALES**

**The Planning and Compulsory Purchase Act 2004
(Commencement No. 12, Revocation and Amendment) Order
2010**

Made - - - -

11th February 2010

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by sections 121(1) and 122(3) of the Planning and Compulsory Purchase Act 2004^(a) and after consultation with the Welsh Ministers^(b) makes the following Order:

Citation

1. This Order may be cited as the Planning and Compulsory Purchase Act 2004 (Commencement No. 12, Revocation and Amendment) Order 2010.

Provision coming into force on 22 February 2010 in relation to England and Wales

2. To the extent that it is not already in force, paragraph 3 of Schedule 6 to the Planning and Compulsory Purchase Act 2004 (amendments of the Planning Acts) shall come into force on 22 February 2010.

Revocation in relation to England

3. Article 4 of the Planning and Compulsory Purchase Act 2004 (Commencement No. 8 and Saving) Order 2006 (saving)^(c) is revoked.

Amendment of the Planning and Compulsory Purchase Act 2004 (Commencement No. 10 and Saving) Order 2007

4. Article 3 of the Planning and Compulsory Purchase Act 2004 (Commencement No. 10 and Saving) Order 2007 (saving)^(d) is amended as follows—

- (a) in paragraph (1), for “paragraph (2)” substitute “paragraphs (2) and (3)”; and
- (b) after paragraph (2) insert—

“(3) This article does not apply in relation to England.”.

(a) 2004 c. 5.

(b) As to consultation with the Welsh Ministers, *see* section 121(2) of the Planning and Compulsory Purchase Act 2004 and paragraphs 30 and 32 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(c) S.I. 2006/1061 (C. 35).

(d) S.I. 2007/1369 (C. 58).

Signed by authority of the Secretary of State for Communities and Local Government

11th February 2010

Ian Austin
Parliamentary Under Secretary of State
Department for Communities and Local Government

EXPLANATORY NOTE

(This note is not part of the Order)

Article 2 of this Order brings into force on 22 February 2010, in relation to England and Wales, paragraph 3 of Schedule 6 to the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”), so far as it is not already in force. The provision substitutes section 69 of the Town and Country Planning Act 1990 (c.8) which relates to registers, kept by local planning authorities, containing information with respect to applications for planning permission, local development orders and simplified planning zone schemes. Section 69, without this substitution, does not include provision for registration in respect of local development orders, but otherwise the substituted section 69 is similar to the original section 69.

The Town and Country Planning (Applications) Regulations 1988 (S.I. 1988/1812) (“the 1988 Regulations”) specified requirements for applications for planning permission in England and Wales but, in relation to England, these requirements are now set out in article 4E of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419, as amended by S.I. 2008/550). When section 62 of the Town and Country Planning Act 1990 (applications for planning permission) was substituted, on the coming into force of section 42(1) of the 2004 Act in relation to England, the 1988 Regulations would have ceased to have effect in relation to England but for a saving provision in the Planning and Compulsory Purchase Act 2004 (Commencement No. 8 and Saving) Order 2006 (“the 2006 Order”). A similar saving of the 1988 Regulations was made in the Planning and Compulsory Purchase Act 2004 (Commencement No 10 and Saving) Order 2007 (“the 2007 Order”) when section 42(1) of the 2004 Act was brought into force in relation to Wales, but the saving was not limited to Wales so applied also to England.

Article 3 of this Order revokes the saving provision in the 2006 Order and article 4 of this Order amends the 2007 Order so that the saving provision will only continue to apply in relation to Wales. The combined effect is that the 1988 Regulations will no longer have effect in relation to England.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 1 to 3 (partially)	6th August 2004	2004/2097
Sections 1 to 3 as to England (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 (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 (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 (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 (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 (so far as not already in force)	28th September 2004	2004/2202
Section 18 as to England	28th September 2004	2004/2202
Sections 19 to 22 (partially)	6th August 2004	2004/2097
Sections 19 to 22 as to England (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 (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 (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 (so far as not already in force)	28th September 2004	2004/2202
Sections 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 (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 38 and 39 as to Wales	15th October 2005	2005/2847
Sections 40 to 42 (partially)	6th August 2004	2004/2097
Sections 40 and 41 as to England (so far as not already in force)	10th May 2006	2006/1061
Section 42(1) and (5) to (9) as to England	10th August 2006	2006/1061
Section 42(1) and (5) to (9) as to Wales	30th June 2007	2007/1369
Section 43 as to England (partially)	24th August 2005	2005/2081

Section 43 as to England (partially)	6th April 2009	2009/384
Section 44 (partially)	6th August 2004	2004/2097
Section 44 as to England (so far as not already in force)	24th August 2005	2005/2081
Sections 46 to 50 (partially)	6th August 2004	2004/2097
Section 49 as to England (so far as not already in force)	10th May 2006	2006/1061
Section 51 as to England	24th August 2005	2005/2081
Sections 52 to 54 (partially)	6th August 2004	2004/2097
Sections 52 and 53 as to England (so far as not already in force)	7th March 2005	2005/204
Section 53 as to Wales (so far as not already in force)	1st April 2006	2006/931
Section 54 as to England (so far as not already in force)	24th August 2005	2005/2081
Section 55 as to England	1st April 2005	2005/204
Section 56	28th September 2004	2004/2202
Section 57 (partially)	6th August 2004	2004/2097
Section 57 (so far as not already in force)	28th September 2004	2004/2202
Section 58	28th September 2004	2004/2202
Section 59 (partially)	6th August 2004	2004/2097
Section 59 (so far as not already in force)	28th September 2004	2004/2202
Sections 79 to 83 (partially)	6th August 2004	2004/2097
Sections 79 to 89 (so far as not already in force)	7th June 2006	2006/1281
Section 88 (partially)	6th August 2004	2004/2097
Section 91 (partially)	6th August 2004	2004/2097
Section 91 (so far as not already in force)	7th June 2006	2006/1281
Sections 100 and 101 (partially)	6th August 2004	2004/2097
Sections 99 to 110 (so far as not already in force)	31st October 2004	2004/2593
Section 111(1)	7th June 2006	2006/1281
Section 111(2)	31st October 2004	2004/2593
Section 112	7th June 2006	2006/1281
Section 113 as to England	28th September 2004	2004/2202
Section 113 as to Wales	15th October 2005	2005/2847
Section 114 as to England (partially)	28th September 2004	2004/2202
Section 114 as to Wales	15th October 2005	2005/2847
Section 116 (partially)	6th August 2004	2004/2097
Section 116 (so far as not already in force)	24th August 2005	2005/2081
Section 117(1) to (7) (partially)	6th August 2004	2004/2097
Section 117(1) to (7) (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, as to England and Wales (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 (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 1997 or to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (partially)	6th August 2004	2004/2097
Section 120, except so far as it relates to the Town and Country Planning (Scotland) Act 1997, to the Planning (Hazardous Substances) (Scotland) Act 1997 or to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, as to England and Wales (so far as not already in force)	28th September 2004	2004/2202
Schedule 1 (partially)	6th August 2004	2004/2097
Schedule 1 as to England (so far as not already in force)	10th May 2006	2006/1061
Schedule 2 paragraph 3 (partially)	6th August 2004	2004/2097
Schedule 2 as to England (so far as not already in force)	1st April 2005	2005/204
Schedule 3 paragraph 6 to 8 and 10 to 12 (partially)	6th August 2004	2004/2097
Schedule 3 (so far as not already in force)	7th June 2006	2006/1281
Schedule 4	7th June 2006	2006/1281
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 (so far as not already in force)	28th September 2004	2004/2202
Schedule 6 paragraphs 1, 8 to 13, 15, 17 to 19, 21, 22 and 25 as to Wales (so far as not already in force)	15th October 2005	2005/2847
Schedule 6 paragraph 2	7th June 2006	2006/1281
Schedule 6 paragraph 7	31st October 2004	2004/2593
Schedule 6 paragraph 16(4) as to England (so far as not already in force)	24th August 2005	2005/2081
Schedule 6 paragraphs 20, 23, 24 and 26 (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 (so far as not already in force)	28th September 2004	2004/2202
Schedule 7 paragraphs 2, 3, 11(1) to (3), 16, 17, 19(2) and 23 as to Wales (so far as not already in force)	15th October 2005	2005/2847
Schedule 7 paragraphs 4, 5, 7, 9, 10(1) to (6), 11(4) and (5), 12 to 15, 18 and 21	31st October 2004	2004/2593
Schedule 8 paragraphs 4, 9, 17 and 18 (partially)	6th August 2004	2004/2097
Schedule 8 as to England (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 (partially)	28th September 2004	2004/2202
Schedule 9 (partially)	31st October 2004	2004/2593
Schedule 9 as to Wales (partially)	15th October 2005	2005/2847
Schedule 9 (partially)	7th June 2006	2006/1281

Schedule 9 as to England (partially)
Schedule 9 as to Wales (partially)

10th August 2006
30th June 2007

2006/1061
2007/1369

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STATUTORY INSTRUMENTS

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£5.50