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STATUTORY INSTRUMENTS

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**2015 No. 340 (C. 17)**

**TOWN AND COUNTRY PLANNING, WALES**

**The Planning and Compulsory Purchase Act 2004  
(Commencement No. 14 and Saving) Order 2015**

*Made - - - - 23rd February 2015*

The Secretary of State, in exercise of the powers conferred by sections 121(1) and (2) and 122(3) of the Planning and Compulsory Purchase Act 2004<sup>(1)</sup> and after consultation with the Welsh Ministers<sup>(2)</sup>, makes the following Order:

**Citation and interpretation**

1.—(1) This Order may be cited as the Planning and Compulsory Purchase Act 2004 (Commencement No. 14 and Saving) Order 2015.

(2) In this Order “the 2004 Act” means the Planning and Compulsory Purchase Act 2004.

**Provisions coming into force on 22nd June 2015 in relation to Wales**

2. To the extent that they are not already in force, the following provisions of the 2004 Act shall come into force, in relation to Wales, on 22nd June 2015:

- (a) section 49;
- (b) section 50;
- (c) section 52; and
- (d) section 54.

3. Insofar as it inserts subsection (3C) into section 91 of the Town and Country Planning Act 1990<sup>(3)</sup>, section 51(1)(b) of the 2004 Act shall come into force, in relation to Wales, on 22nd June 2015.

**Saving**

4. The duty in section 54(4) of the 2004 Act to give a substantive response to any consultation mentioned in subsection (2) of that section shall have no effect in relation to an application for

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(1) 2004 c. 5.

(2) 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).

(3) 1990 c. 8.

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planning permission, approval or consent under or by virtue of the planning Acts received by a local planning authority before 22nd June 2015.

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

*Brandon Lewis*  
Minister of State  
Department for Communities and Local  
Government

23rd February 2015

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Article 2 of this Order brings into force on 22nd June 2015, the following provisions of the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”), in relation to Wales, so far as they are not already in force—

Section 49 (development to include certain internal operations);

Section 50 (appeal made: functions of local planning authority);

Section 52 (temporary stop notice); and

Section 54 (duty to respond to consultation).

Article 3 of this Order brings section 51(1)(b) of the 2004 Act into force on 22nd June 2015, in relation to Wales, insofar as it inserts subsection (3C) into section 91 of the Town and Country Planning Act 1990 (duration of permission and consent).

Article 4 of this Order makes a saving for the purposes of section 54 of the 2004 Act.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the Order)*

The following provisions of the 2004 Act have been brought into force by commencement order made by the Secretary of State before this order:

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

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 16 (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 16 as to England (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Section 17 (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 17 as to England (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Section 18 as to England	28th September 2004	<a href="#">2004/2202</a>
Sections 19 to 22 (partially)	6th August 2004	<a href="#">2004/2097</a>
Sections 19 to 22 as to England (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Section 23 as to England	28th September 2004	<a href="#">2004/2202</a>
Sections 24 to 26 (partially)	6th August 2004	<a href="#">2004/2097</a>
Sections 24 to 26 as to England (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Section 27 as to England	28th September 2004	<a href="#">2004/2202</a>
Sections 28 and 29 (partially)	6th August 2004	<a href="#">2004/2097</a>
Sections 28 and 29 as to England (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Section 30 as to England	28th September 2004	<a href="#">2004/2202</a>
Section 31 (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 31 as to England (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Sections 32 to 34 as to England	28th September 2004	<a href="#">2004/2202</a>
Sections 35 and 36 (partially)	6th August 2004	<a href="#">2004/2097</a>
Sections 35 and 36 as to England (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Sections 37 to 39 as to England	28th September 2004	<a href="#">2004/2202</a>
Sections 38 and 39 as to Wales	15th October 2005	<a href="#">2005/2847</a>
Sections 40 to 42 (partially)	6th August 2004	<a href="#">2004/2097</a>
Sections 40 and 41 as to England (so far as not already in force)	10th May 2006	<a href="#">2006/1061</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 40 and 41 as to Wales (so far as not already in force)	30th April 2012	<a href="#">2012/1100</a>
Section 42(1) and (5) to (9) as to England	10th August 2006	<a href="#">2006/1061</a>
Section 42(1) and (5) to (9) as to Wales	30th June 2007	<a href="#">2007/1369</a>
Section 43 as to England (partially)	24th August 2005	<a href="#">2005/2081</a>
Section 43 as to England (partially)	6th April 2009	<a href="#">2009/384</a>
Section 44 (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 44 as to England (so far as not already in force)	24th August 2005	<a href="#">2005/2081</a>
Sections 46 to 50 (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 49 as to England (so far as not already in force)	10th May 2006	<a href="#">2006/1061</a>
Section 51 as to England	24th August 2005	<a href="#">2005/2081</a>
Sections 52 to 54 (partially)	6th August 2004	<a href="#">2004/2097</a>
Sections 52 and 53 as to England (so far as not already in force)	7th March 2005	<a href="#">2005/204</a>
Section 53 as to Wales (so far as not already in force)	1st April 2006	<a href="#">2006/931</a>
Section 54 as to England (so far as not already in force)	24th August 2005	<a href="#">2005/2081</a>
Section 55 as to England	1st April 2005	<a href="#">2005/204</a>
Section 56	28th September 2004	<a href="#">2004/2202</a>
Section 57 (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 57 (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Section 58	28th September 2004	<a href="#">2004/2202</a>
Section 59 (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 59 (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Sections 79 to 83 (partially)	6th August 2004	<a href="#">2004/2097</a>
Sections 79 to 89 (so far as not already in force)	7th June 2006	<a href="#">2006/1281</a>
Section 88 (partially)	6th August 2004	<a href="#">2004/2097</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Section 91 (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 91 (so far as not already in force)	7th June 2006	<a href="#">2006/1281</a>
Sections 100 and 101 (partially)	6th August 2004	<a href="#">2004/2097</a>
Sections 99 to 110 (so far as not already in force)	31st October 2004	<a href="#">2004/2593</a>
Section 111(1)	7th June 2006	<a href="#">2006/1281</a>
Section 111(2)	31st October 2004	<a href="#">2004/2593</a>
Section 112	7th June 2006	<a href="#">2006/1281</a>
Section 113 as to England	28th September 2004	<a href="#">2004/2202</a>
Section 113 as to Wales	15th October 2005	<a href="#">2005/2847</a>
Section 114 as to England (partially)	28th September 2004	<a href="#">2004/2202</a>
Section 114 as to Wales	15th October 2005	<a href="#">2005/2847</a>
Section 116 (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 116 (so far as not already in force)	24th August 2005	<a href="#">2005/2081</a>
Section 117(1) to (7) (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 117(1) to (7) (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Section 118, except subsection (2) in so far as it relates to the Town and Country Planning (Scotland) Act 1997 (partially)	6th August 2004	<a href="#">2004/2097</a>
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	<a href="#">2004/2202</a>
Section 119(1) (partially)	6th August 2004	<a href="#">2004/2097</a>
Section 119(1) as to England (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Section 120, except in so far as it relates to the Town and Country Planning (Scotland) Act 1997, to the Planning	6th August 2004	<a href="#">2004/2097</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
(Hazardous Substances) (Scotland) Act 1997 or to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (partially)		
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	<a href="#">2004/2202</a>
Schedule 1 (partially)	6th August 2004	<a href="#">2004/2097</a>
Schedule 1 as to England (so far as not already in force)	10th May 2006	<a href="#">2006/1061</a>
Schedule 1 as to Wales (so far as not already in force)	30th April 2012	<a href="#">2012/1100</a>
Schedule 2 paragraph 3 (partially)	6th August 2004	<a href="#">2004/2097</a>
Schedule 2 as to England (so far as not already in force)	1st April 2005	<a href="#">2005/204</a>
Schedule 3 paragraph 6 to 8 and 10 to 12 (partially)	6th August 2004	<a href="#">2004/2097</a>
Schedule 3 (so far as not already in force)	7th June 2006	<a href="#">2006/1281</a>
Schedule 4	7th June 2006	<a href="#">2006/1281</a>
Schedule 6 paragraphs 1, 3, 14, 16, 19, 20, 23, 24, 26 and 27 (partially)	6th August 2004	<a href="#">2004/2097</a>
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	<a href="#">2004/2202</a>
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	<a href="#">2005/2847</a>
Schedule 6 paragraph 2	7th June 2006	<a href="#">2006/1281</a>
Schedule 6 paragraph 7	31st October 2004	<a href="#">2004/2593</a>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Schedule 6 paragraph 16(4) as to England (so far as not already in force)	24th August 2005	<a href="#">2005/2081</a>
Schedule 6 paragraphs 20, 23, 24 and 26 (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Schedule 6 paragraph 3 (so far as not already in force)	22nd February 2010	<a href="#">2010/321</a>
Schedule 7 paragraph 19 (partially)	6th August 2004	<a href="#">2004/2097</a>
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	<a href="#">2004/2202</a>
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	<a href="#">2005/2847</a>
Schedule 7 paragraphs 4, 5, 7, 9, 10(1) to (6), 11(4) and (5), 12 to 15, 18 and 21	31st October 2004	<a href="#">2004/2593</a>
Schedule 8 paragraphs 4, 9, 17 and 18 (partially)	6th August 2004	<a href="#">2004/2097</a>
Schedule 8 as to England (so far as not already in force)	28th September 2004	<a href="#">2004/2202</a>
Schedule 9 as to England (partially)	28th September 2004	<a href="#">2004/2202</a>
Schedule 9 (partially)	28th September 2004	<a href="#">2004/2202</a>
Schedule 9 (partially)	31st October 2004	<a href="#">2004/2593</a>
Schedule 9 as to Wales (partially)	15th October 2005	<a href="#">2005/2847</a>
Schedule 9 (partially)	7th June 2006	<a href="#">2006/1281</a>
Schedule 9 as to England (partially)	10th August 2006	<a href="#">2006/1061</a>
Schedule 9 as to Wales (partially)	30th June 2007	<a href="#">2007/1369</a>