

Changes to legislation: Local Government Act 1972, Part II is up to date with all changes known to be in force on or before 20 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULES

SCHEDULE 16

FUNCTIONS UNDER, AND AMENDMENT AND MODIFICATION OF, ENACTMENTS RELATING TO TOWN AND COUNTRY PLANNING

PART II

OTHER ENACTMENTS

^{F1}54

Textual Amendments

F1 Sch. 16 paras. 4–47, 49–54 repealed by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 3, Sch. 1 Pt. I, Sch. 3 paras. 1, 2, 4, 6

The ^{M1}Land Compensation Act 1961

Marginal Citations

M1 1961 c. 33.

55 (1) [^{F2}In England, elsewhere] than in Greater London [^{F3}, a metropolitan county] or a National Park the functions of a local planning authority of determining applications and issuing certificates under section 17 of the ^{M2}Land Compensation Act 1961 shall—

- (a) in the case of an application specifying only a [^{F4}description] of development which appears, or [^{F5}descriptions] of development each of which appear, to the district planning authority to relate to a county matter, be exercised by the county planning authority;
- (b) in any other case, be exercised by the district planning authority.

^{F6}(2)

(3) Every application mentioned in sub-paragraph (1) above shall be made to the district planning authority who, in the case of an application falling to be determined by the county planning authority, shall send it on to the latter.

(4) A county planning authority determining any such application shall consult with the district planning authority on the question whether planning permission for development of any [^{F7}description] which appears to the former not to relate to a county matter [^{F8}would have been granted if the land in question were not proposed to be acquired by any authority possessing compulsory purchase powers.]

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- (5) A district planning authority determining any such application shall consult with the county planning authority on the question whether planning permission for development of any [^{F7}description] which appears to the former to relate to a county matter [^{F8}would have been granted if the land in question were not proposed to be acquired by any authority possessing compulsory purchase powers.]
- (6) A county planning authority by whom a certificate is issued under section 17 of the ^{M3}Land Compensation Act 1961 shall notify the district planning authority of the terms of the certificate and the district planning authority by whom a certificate is so issued shall, if it [^{F9}identifies] development relating to a county matter, notify the county planning authority of the terms of the certificate.
- (7) In this paragraph “county matter” has the meaning ascribed to it by [^{F10}paragraph 1 of Schedule 1 to the Town and Country Planning Act 1990].

Textual Amendments

- F2** Words in Sch. 16 para. 55(1) substituted (1.4.1996) by 1994 c. 19, s. 66(5), **Sch. 15 para. 64(a)** (with ss. 54(5)(7), 55(5), Sch. 17 paras. 22(1), 23(2)); S.I. 1996/396, art. 4, **Sch. 2**
- F3** Words inserted by Local Government Act 1985 (c. 51, SIF 81:1), **ss. 2, 3(5)**
- F4** Word in Sch. 16 para. 55(1)(a) substituted (6.4.2012) by The Localism Act 2011 (Consequential Amendments) Order 2012 (S.I. 2012/961), art. 1(2), **Sch. 2 para. 2(2)(a)(i)** (with Sch. 2 para. 2(3)-(5))
- F5** Word in Sch. 16 para. 55(1)(a) substituted (6.4.2012) by The Localism Act 2011 (Consequential Amendments) Order 2012 (S.I. 2012/961), art. 1(2), **Sch. 2 para. 2(2)(a)(ii)** (with Sch. 2 para. 2(3)-(5))
- F6** Sch. 16 para. 55(2) repealed (1.4.1997) by 1995 c. 25, s. 120(3), **Sch. 24** (with ss. 7(6), 115, 117); S.I. 1996/2560, art. 2, **Sch.**
- F7** Word in Sch. 16 para. 55(4)(5) substituted (6.4.2012) by The Localism Act 2011 (Consequential Amendments) Order 2012 (S.I. 2012/961), art. 1(2), **Sch. 2 para. 2(2)(b)** (with Sch. 2 para. 2(3)-(5))
- F8** Words substituted by Local Government, Planning and Land Act 1980 (c. 65, SIF 81:1, 2; 103:1, 2), s. 193, **Sch. 33 para. 13** in relation to applications made after 12.12.1975
- F9** Word in Sch. 16 para. 55(6) substituted (6.4.2012) by The Localism Act 2011 (Consequential Amendments) Order 2012 (S.I. 2012/961), art. 1(2), **Sch. 2 para. 2(2)(c)** (with Sch. 2 para. 2(3)-(5))
- F10** Words substituted by Planning (Consequential Provisions) Act 1990 (c. 11, SIF 123:1, 2), s. 4, **Sch. 2 para. 28(5)**

Marginal Citations

- M2** 1961 c. 33.
- M3** 1961 c. 33.

^{F11}56

Textual Amendments

- F11** Sch. 16 para. 56 repealed by New Towns Act 1981 (c. 64, SIF 123:3), s. 81, **Sch. 13**

^{F12}57

Textual Amendments

- F12** Sch. 16 para. 57 repealed by Town and Country Amenities Act 1974 (c. 32), **Sch.**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 80(3B) omitted by [2021 asc 1 Sch. 2 para. 1\(3\)\(c\)](#)
- s. 101(6ZA) inserted by [2023 c. 55 Sch. 12 para. 2](#)
- s. 123(2C) inserted by [2023 c. 55 s. 75](#)
- s. 131(2)(n) and word inserted by [2023 asc 3 Sch. 13 para. 16](#)