

## SCHEDULES

### SCHEDULE 1

Section 34.

#### CONSEQUENTIAL AMENDMENTS—ENGLAND AND WALES

##### *TOWN AND COUNTRY PLANNING ACT 1971*

- 1 In section 30(2) (meaning of " planning permission granted for a limited period ") for the word " Any " there shall be substituted the words " Subject to section 44A(6) of this Act, any ".
- 2 In section 35(4) (provisions applying with modifications where applications for planning permission are referred to Secretary of State) for the words "and 30(1)" there shall be substituted the words " , 30(1) and 30A ".
- 3 In section 36(5) (provisions applying with modifications in relation to an appeal to Secretary of State) for the words " and 30(1)" there shall be substituted the words " , 30(1) and 30A ".
- 4 In section 164(1) (compensation where planning permission revoked or modified) for the word " Where " there shall be substituted the words " Subject to section 164A of this Act, where ".
- 5 In section 170(1) (compensation in respect of orders under section 51) for the word " The " there shall be substituted the words " Subject to section 170B of this Act, the ".
- 6 In subsection (2) of section 178 (which specifies the compensation to which the general provisions contained in that section apply) for the word " This " there shall be substituted the words " Subject to regulations under section 178A of this Act, this ".
- 7 In subsection (1)(b) of section 238 (measure of compensation to statutory undertakers) after the words " 51" there shall be inserted the words " , 51A or 51B ".
- 8 In subsection (2) of section 242 (which specifies orders the validity of which is not to be questioned in any legal proceedings except as provided by Part )(II) the following paragraphs shall be inserted after subsection (2)(b): —
  - “(ba) any order under section 51A of this Act;
  - (bb) any order under section 51B of this Act;”.
- 9 In subsection (2)(a) of section 266 (which specifies orders which, in relation to land which for the time being is Crown land, may only be made with the consent of the appropriate authority) after the word " 51," there shall be inserted the words " 51A, 51B, ".
- 10 In subsection (2) of section 276 (which specifies the orders in relation to which the Secretary of State has default powers) the following paragraphs shall be inserted after paragraph (b): —
  - “(ba) orders under section 51A of this Act;
  - (bb) orders under section 51B of this Act;”

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*Status: This is the original version (as it was originally enacted).*

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- 11 In section 290(1) (interpretation)—
- (a) the following shall be inserted after the definition of " advertisement " : —  
 ““aftercare condition" has the meaning assigned to it by section 30A(2) of this Act;”
  - (b) the following shall be inserted after the definition of " development " :—  
 “" development consisting of the winning and working of minerals" shall be construed in accordance with section 264(1A) of this Act;”
  - (c) the following shall be inserted after the definition of " means of access " : —  
 “" mineral compensation modifications " has the meaning assigned to it by section 178A(8) of this Act;  
 " mineral planning authority "—  
    - (a) in respect of any site outside Greater London, has the meaning assigned to it by section 1(2B) of this Act; and
    - (b) in respect of any site in Greater London, has the meaning assigned to it by paragraph 4B of Schedule 3 to this Act;
 " mineral-working deposit" has the meaning assigned to it by section 264(1A) of this Act;”
  - (d) the following shall be inserted after the definition of " purchase notice " : —  
 “" relevant order " has the meaning assigned to it by section 178C(3) of this Act;”
  - (e) the following shall be inserted after the definition of " replacement of open space " : —  
 “" restoration condition " has the meaning assigned to it by section 30A(2) of this Act;  
 "restriction on the winning and working of minerals" has the meaning assigned to it by section 178C(1) of this Act;  
 " special consultations " has the meaning assigned to it by section 178B of this Act;  
 " the statutory maximum " means the prescribed sum within the meaning of section 32 of the Magistrates' Courts Act 1980 (£1,000 or another sum fixed by order under section 143 of that Act to take account of changes in the value of money);”
  - (f) the following shall be inserted after the definition of " statutory undertaker " : —  
 “" steps for the protection of the environment" has the meaning assigned to it by section 51B(3) of this Act;”and
  - (g) the following shall be inserted after the definition of " stop notice " :—  
 “"suspension order " and " supplementary suspension order " have the meanings assigned to them by section 51B of this Act;”.

#### *LOCAL GOVERNMENT ACT 1972*

- 12 In paragraph 32(cd) of Schedule 16 (definition of " county matter ") for the words " any condition imposed on a planning permission requiring the restoration of the land when the winning and working of minerals has ceased" there shall be substituted the words " a restoration condition or an aftercare condition ".