

1987 No. 178 (C.3)

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

**The Housing and Planning Act 1986 (Commencement
No. 2) Order 1987**

Made - - - - 10th February 1987

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by section 57(2) of the Housing and Planning Act 1986(a) and of all other powers enabling them in that behalf hereby make the following Order:

1. This Order may be cited as the Housing and Planning Act 1986 (Commencement No. 2) Order 1987.

2. Paragraph 8 of Schedule 11 to the Housing and Planning Act 1986 shall come into force on 2nd March 1987.

Transitional provision

3. Subsections (2) to (5) of section 250 of the Local Government Act 1972(b) shall continue to apply to any inquiry held under paragraph 5 of Schedule 9 to the Town and Country Planning Act 1971(c) which began before 2nd March 1987 as those provisions applied immediately before that date.

9th February 1987

Nicholas Ridley
Secretary of State for the Environment

10th February 1987

Nicholas Edwards
Secretary of State for Wales

(a) 1986 c.63.
(b) 1972 c.70.
(c) 1971 c.78.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into operation on 2nd March 1987 paragraph 8 of Schedule 11 to the Housing and Planning Act 1986.

Paragraph 8(1) substitutes a new subsection (2) in section 282 of the Town and Country Planning Act 1971. This is a minor drafting improvement which makes no change of substance.

Paragraph 8(2) substitutes a new paragraph 5(3) of Schedule 9 to the Town and Country Planning Act 1971 (determination of appeals by appointed person) applying section 250(2) to (5) of the Local Government Act 1972 (local inquiries: evidence and costs) to an inquiry held under paragraph 5 of Schedule 9. At present only the Secretary of State is entitled under paragraph 5(3) to make orders as to the costs of the parties to an inquiry and as to the parties by whom the costs are to be paid. The substituted paragraph entitles a person appointed by the Secretary of State to hold an inquiry to make such orders as well.

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