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STATUTORY INSTRUMENTS

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**1994 No. 1210**

**The Isle of Wight (Structural Change) Order 1994**

**PART III**

**TOWN AND COUNTRY PLANNING**

**Island council as planning authority**

6.—(1) As from the reorganisation date, the Island council shall cease to exercise functions under Chapter II of Part II of the 1990 Act.

(2) As from the reorganisation date, the Island council is to be treated as an authority to which Chapter I of Part II of the 1990 Act applies, and for this purpose, as if it were an area within a metropolitan county, and references to the local planning authority shall be construed accordingly.

**Modifications to the 1990 Act**

7.—(1) In section 27 of the 1990 Act, delete the words, “for any district in Greater London or a metropolitan county (whether the whole or part of the area of a local planning authority)” and insert “for any area in the Isle of Wight (whether the whole or part of the area of the Island council)”.

(2) Nothing in section 28 of the 1990 Act shall apply in the area of the Isle of Wight.

(3) Until a unitary development plan becomes operative for the area of the Island council (or where parts of such a plan become operative on different dates until every part of such a plan has become operative) Part I of Schedule 2 to the 1990 Act (which provides for existing plans to continue in force) shall apply to that area, and Part III of that Schedule shall apply in relation to it for the purposes of making continuing provision for the transitional matters for which provision was made immediately before the commencement of the 1990 Act by Schedule 7 to the Town and Country Planning Act 1971<sup>(1)</sup> (old development plans, etc.).

(4) In the application of Part I of Schedule 2 to the 1990 Act to the Island council, for the words “the commencement of this Act”, there shall be substituted “the commencement of this Order”.

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(1) 1971 c. 78, repealed by the Planning (Consequential Provisions) Act 1990 c. 11.