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STATUTORY INSTRUMENTS

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**2010 No. 321 (C. 26)**

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

**The Planning and Compulsory Purchase  
Act 2004 (Commencement No. 12,  
Revocation and Amendment) Order 2010**

*Made - - - - 11th February 2010*

The Secretary of State for Communities and Local Government, in exercise of the powers conferred by sections 121(1) 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**

**1.** This Order may be cited as the Planning and Compulsory Purchase Act 2004 (Commencement No. 12, Revocation and Amendment) Order 2010.

**Provision coming into force on 22 February 2010 in relation to England and Wales**

**2.** To the extent that it is not already in force, paragraph 3 of Schedule 6 to the Planning and Compulsory Purchase Act 2004 (amendments of the Planning Acts) shall come into force on 22 February 2010.

**Revocation in relation to England**

**3.** Article 4 of the Planning and Compulsory Purchase Act 2004 (Commencement No. 8 and Saving) Order 2006 (saving)<sup>(3)</sup> is revoked.

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<sup>(1)</sup> [2004 c. 5](#).

<sup>(2)</sup> 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 \(c. 32\)](#).

<sup>(3)</sup> [S.I. 2006/1061 \(C. 35\)](#).

**Amendment of the Planning and Compulsory Purchase Act 2004 (Commencement No. 10 and Saving) Order 2007**

4. Article 3 of the Planning and Compulsory Purchase Act 2004 (Commencement No. 10 and Saving) Order 2007 (saving)(4) is amended as follows—

- (a) in paragraph (1), for “paragraph (2)” substitute “paragraphs (2) and (3)”; and
- (b) after paragraph (2) insert—

“(3) This article does not apply in relation to England.”.

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

*Ian Austin*  
Parliamentary Under Secretary of State  
Department for Communities and Local  
Government

11th February 2010

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(4) S.I. 2007/1369 (C. 58).

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## EXPLANATORY NOTE

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

Article 2 of this Order brings into force on 22 February 2010, in relation to England and Wales, paragraph 3 of Schedule 6 to the Planning and Compulsory Purchase Act 2004 (“the 2004 Act”), so far as it is not already in force. The provision substitutes section 69 of the Town and Country Planning Act 1990 (c.8) which relates to registers, kept by local planning authorities, containing information with respect to applications for planning permission, local development orders and simplified planning zone schemes. Section 69, without this substitution, does not include provision for registration in respect of local development orders, but otherwise the substituted section 69 is similar to the original section 69.

The Town and Country Planning (Applications) Regulations 1988 (S.I. 1988/1812) (“the 1988 Regulations”) specified requirements for applications for planning permission in England and Wales but, in relation to England, these requirements are now set out in article 4E of the Town and Country Planning (General Development Procedure) Order 1995 (S.I. 1995/419, as amended by S.I. 2008/550). When section 62 of the Town and Country Planning Act 1990 (applications for planning permission) was substituted, on the coming into force of section 42(1) of the 2004 Act in relation to England, the 1988 Regulations would have ceased to have effect in relation to England but for a saving provision in the Planning and Compulsory Purchase Act 2004 (Commencement No. 8 and Saving) Order 2006 (“the 2006 Order”). A similar saving of the 1988 Regulations was made in the Planning and Compulsory Purchase Act 2004 (Commencement No 10 and Saving) Order 2007 (“the 2007 Order”) when section 42(1) of the 2004 Act was brought into force in relation to Wales, but the saving was not limited to Wales so applied also to England.

Article 3 of this Order revokes the saving provision in the 2006 Order and article 4 of this Order amends the 2007 Order so that the saving provision will only continue to apply in relation to Wales. The combined effect is that the 1988 Regulations will no longer have effect in relation to England.

## NOTE AS TO EARLIER COMMENCEMENT ORDERS

*(This note is not part of the 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>

**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
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>
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>
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>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
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>
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>

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<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
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 (Hazardous Substances) (Scotland) Act 1997 or to the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 (partially)	6th August 2004	<a href="#">2004/2097</a>
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 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>

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
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>
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 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>