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WELSH STATUTORY INSTRUMENTS

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**2005 No. 1229 (W.87) (C.56)**

**TOWN AND COUNTRY PLANNING, WALES**

The Planning and Compulsory Purchase Act  
2004 (Commencement No.3 and Consequential  
and Transitional Provisions) (Wales) Order 2005

Made - - - - 26 April 2005

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 121(5) and 122(3)(b) of the Planning and Compulsory Purchase Act 2004 (“the Act”)(1), hereby makes the following Order:

**Title**

1. The title of this Order is the Planning and Compulsory Purchase Act 2004 (Commencement No.3 and Consequential and Transitional Provisions) (Wales) Order 2005.

**Appointed day**

2. The appointed day for the coming into force of the following provisions of the Act, namely—
- (a) section 62 (local development plan), insofar as it is not already in force;
  - (b) section 63 (preparation requirements), insofar as it is not already in force;
  - (c) section 72 (joint local development plans); and
  - (d) section 73 (exclusion of certain representations),

is 30 April 2005.

**Consequential provisions**

3. On the day appointed by article 2, the following provisions of the Town and Country Planning Act 1990 (“the 1990 Act”)(2) cease to have effect in relation to Wales—

- (a) section 12 (preparation of unitary development plan);
- (b) section 21 (alteration or replacement of unitary development plan); and
- (c) section 23B (unitary development plans for National Parks in Wales).

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(1) 2004 c. 5.  
(2) 1990 c. 8.

**Transitional provisions**

4. In relation to the local planning authorities listed in the Schedule to this Order and to their areas,—

- (a) the provisions of the Act brought into force by article 2 do not apply; and
- (b) the provisions of the 1990 Act which cease to have effect under article 3 continue in force.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(3).

26 April 2005

*D. Elis-Thomas*  
The Presiding Officer of the National Assembly

## SCHEDULE

Article 4

Blaenau Gwent County Borough Council  
Brecon Beacons National Park Authority  
Bridgend County Borough Council  
Carmarthenshire County Council  
Ceredigion County Council  
Flintshire County Council  
Gwynedd County Council  
Isle of Anglesey County Council  
Monmouthshire County Council  
Neath Port Talbot County Borough Council  
Newport City Council  
Pembrokeshire County Council  
Pembrokeshire Coast National Park Authority  
Powys County Council  
The Council of the City and County of Swansea  
Vale of Glamorgan County Borough Council

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## EXPLANATORY NOTE

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

This Order brings certain further provisions of Part 6 of the Planning and Compulsory Purchase Act 2004 (“the Act”) into force on 30 April 2005, namely sections 62 and 63 (insofar as they have not already been brought into force), 72 and 73 of the Act.

Part 6 of the Act (sections 60 to 78) applies only to Wales and establishes a system of local development plans (“plans”) in place of the unitary development plans required under Chapter I of Part II of the Town and Country Planning Act 1990 (“the 1990 Act”).

The effect of the Order will be to enable those local planning authorities which have expressed a wish to commence work on the preparation of their plans to do so. The authorities in question are —

Caerphilly County Borough Council  
The Council of the City and County of Cardiff  
Conwy County Borough Council  
Denbighshire County Council  
Merthyr Tydfil County Borough Council  
Rhondda Cynon Taf County Borough Council  
Snowdonia National Park Authority

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

Torfaen County Borough Council

Wrexham County Borough Council

In relation to the remaining local planning authorities in Wales (i.e. those specified in the Schedule to this Order) the existing provisions of the 1990 Act will continue to apply for the time being.

#### **NOTE AS TO EARLIER COMMENCEMENT ORDERS**

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

The provisions of Part 6 of the Planning and Compulsory Purchase Act 2004 set out in the Table below came into force on the dates indicated by virtue of Orders made by the National Assembly for Wales.

Section(s)	Date of commencement	S.I. number
60	14 July 2004	<a href="#">2004/1814 (W.199) (C.74)</a>
62(4) and (5)(g)	1 August 2004	<a href="#">2004/1813 (W.198) (C.73)</a>
63(3)(a) and (7)	1 August 2004	<a href="#">2004/1813 (W.198) (C.73)</a>
75	1 August 2004	<a href="#">2004/1813 (W.198) (C.73)</a>
76(2) (in part) and (3) (in part)	1 August 2004	<a href="#">2004/1813 (W.198) (C.73)</a>
77	1 August 2004	<a href="#">2004/1813 (W.198) (C.73)</a>
78	1 August 2004	<a href="#">2004/1813 (W.198) (C.73)</a>