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SCHEDULES

SCHEDULE 9

ADAPTATION AND INTERPRETATION OF ENACTMENTS, ETC.

PART II

SPECIFIC ADAPTATIONS, AMENDMENTS AND MODIFICATIONS

The Civic Amenities Act 1967 (c. 69)

- 69 In section 1 (preservation of character of areas of special architectural or historic interest), at the end of subsection (5)(a) there shall be inserted the words " or the Planning Act of 1968 ".
- 70 In section 3 (acts causing or likely to result in damage to listed buildings),—
- (a) in subsection (1), for the words " not being a building of a description specified in section 30(2) of the Planning Act " there shall be substituted the words " not being a building of a description specified in section 41(1) of the Planning Act of 1968 ";
 - and for the words " that Act " there shall be substituted the words " the Planning Act ";
 - (b) in subsection (2), for the words " works of which notice has been given in pursuance of section 33 of that Act or which are lawful by subsection (2) of that section " there shall be substituted the words " works for which listed building consent has been given under Part V of the Planning Act of 1968 ".
- 71 Section 8 (management of buildings acquired under section 69 of Planning Act) shall be amended as follows :—
- (a) in subsection (1), for the words " under section 69(1) or section 71(1)(b) of the Planning Act " there shall be substituted the words " under section 71(1) (b) of the Planning Act or section 50(1) of the Planning Act of 1968 ";
 - (b) in subsection (2), for the words " section 69(2) of the Planning Act " there shall be substituted the words " section 50(2) of the Planning Act of 1968 ";
 - (c) in subsection (3)(b), after the word " references " (where first occurring) there shall be inserted the words " in this section as originally enacted ".
- 72 In section 14 (default powers and appeals in relation to replacement of trees), in subsection (3) for the words " subsections (2) to (5) of section 46 " there shall be substituted the words " section 16(2), (3) and (4)(a) of the Planning Act of 1968 and so much of section 16(5) of that Act as enables the Minister to give directions ".
- 73 In section 16 (power of local planning authority to make tree preservation order with immediate effect)—
- (a) in subsection (1), the words " by the Minister " shall be omitted; and

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(b) for subsections (2) and (3) there shall be substituted the following subsections:—

“(2) Notwithstanding section 29(4) of the Planning Act, an order which contains such a direction shall take effect provisionally on such date as may be specified therein and shall continue in force by virtue of this section until—

- (a) the expiration of a period of six months beginning with the date on which the order was made ; or
- (b) the date on which the order is confirmed or, in the case of an order which can be confirmed only by the Minister, on which he notifies the authority who made the order that he does not propose to confirm it;

whichever first occurs.

(3) Provision shall be made by regulations under the Planning Act for securing—

- (a) that the notices to be given of the making of a tree preservation order containing a direction under this section shall include a statement of the effect of the direction ; and
- (b) that where the Minister, in the case of an order which can be confirmed only by him, within the period of six months referred to in subsection (2) above, notifies the authority that he does not propose to confirm the order, copies of that notice shall be served on the owners and occupiers of the land to which the order related.”

74 In section 30 (interpretation), in subsection (1), after the definition of " the Planning Act " there shall be inserted the following :—

“‘ the Planning Act of 1968 ' means the Town and Country Planning Act 1968”.