



# Housing and Planning Act 1986

## 1986 CHAPTER 63

### PART VI

#### MISCELLANEOUS PROVISIONS

*Provisions common to England and Wales and Scotland*

#### **54 Effect of modification or termination of enterprise zone scheme**

- (1) In Schedule 32 to the Local Government, Planning and Land Act 1980 (enterprise zones), for paragraphs 21 and 22 (effect of modification or termination of scheme on planning permission) substitute—

*“Effect on planning permission of modification or termination of scheme*

- 21 Modifications to a scheme do not affect planning permission under the scheme in any case where the development authorised by it has been begun before the modifications take effect.
- 22 (1) Upon an area ceasing to be an enterprise zone planning permission under the scheme shall cease to have effect except in a case where the development authorised by it has been begun.
- (2) The following provisions (which provide for the termination of planning permission if the completion of development is unreasonably delayed) apply to planning permission under the scheme where development has been begun but not completed by the time the area ceases to be an enterprise zone—
- (a) in England and Wales, subsections (2) to (6) of section 44 of the 1971 Act;
  - (b) in Scotland, subsections (2) to (6) of section 41 of the 1972 Act.”.
- (2) In paragraph 26 of that Schedule (interpretation of Part III of the Schedule), after subparagraph (1) insert—

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*Status: This is the original version (as it was originally enacted).*

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“(1A) The following provisions apply in determining for the purposes of this Schedule when development shall be taken to be begun—

- (a) in England and Wales, subsections (1) to (3) of section 43 of the 1971 Act;
- (b) in Scotland, subsections (1) to (3) of section 40 of the 1972 Act.”.

## **55 Discrimination in exercise of planning functions**

—In Part III of the Race Relations Act 1976 (discrimination in fields other than employment), after section 19 insert—

### *“Planning*

#### **19A Discrimination by planning authorities.**

- (1) It is unlawful for a planning authority to discriminate against a person in carrying out their planning functions.
- (2) In this section " planning authority " means—
  - (a) in England and Wales, a county, district or London borough council, a joint planning board, a special planning board or a National Park Committee, and
  - (b) in Scotland, a planning authority or regional planning authority,
 and includes an urban development corporation and a body having functions (whether as an enterprise zone authority or a body invited to prepare a scheme) under Schedule 32 to the Local Government, Planning and Land Act 1980.
- (3) In this section " planning functions " means—
  - (a) in England and Wales, functions under the Town and Country Planning Act 1971, and such other functions as may be prescribed, and
  - (b) in Scotland, functions under the Town and Country Planning (Scotland) Act 1972 or Part IX of the Local Government (Scotland) Act 1973, and such other functions as may be prescribed,
 and includes, in relation to an urban development corporation, planning functions under Part XVI of the Local Government, Planning and Land Act 1980 and, in relation to an enterprise zone authority or body invited to prepare an enterprise zone scheme, functions under Part XVIII of that Act.”.