

SCHEDULES

SCHEDULE 4

DEVELOPMENT PLANS

PART II

MINOR AND CONSEQUENTIAL AMENDMENTS

- 35 (1) In Schedule 1 to that Act (local planning authorities: distribution of functions) for paragraph 2 there is substituted—
- “2 The functions of a local planning authority—
- (a) under sections 30 to 35B, 38(2) and 50(1), (4), (5) and (7) shall be exercisable by the county planning authority and not by the district planning authority;
 - (b) under section 36, 39, 40, 42 to 44 and 50(6), (7A) and (8) shall be exercisable by the district planning authority and not by the county planning authority;
- and references to a local planning authority in those sections shall be construed accordingly.”
- (2) In paragraph 7(3) of that Schedule, in paragraph (a)—
- (a) for sub-paragraphs (i) to (iii) there is substituted—
 - “(i) of any policy contained in a structure plan which has been adopted or approved;
 - (ii) of any policy contained in proposals made available for inspection under section 33(2);” and
 - (b) for sub-paragraphs (v) to (vii) there is substituted—
 - “(v) of any policy contained in a minerals local plan or a waste local plan which has been adopted or approved;
 - (vi) of any policy contained in proposals for the making, alteration or replacement of a minerals local plan or a waste local plan which have been made available for inspection under section 40(2);
 - (vii) of any proposal contained in a local plan which was prepared by the county planning authority and continued in operation by virtue of paragraph 44 of Schedule 4 to the ^{M1}Planning and Compensation Act 1991;
 - (viii) of any proposal contained in proposals in respect of a local plan which have been prepared by the county planning authority and are adopted or approved by virtue of paragraph 43 of that Schedule or

Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Paragraph 35. (See end of Document for details)

made available for inspection in pursuance of that paragraph.”.

Commencement Information

- II** Sch. 4 para. 35 wholly in force: Sch. 4 para. 35 in force for certain purposes at 25.11.1991, see s. 84(2) (3) and S.I. 1991/2728, art. 2; Sch. 4 para. 35 in force at 10.2.1992 so far as not already in force by S.I. 1991/2905, art. 4

Marginal Citations

- M1** 1991 c. 34.

Changes to legislation:

There are currently no known outstanding effects for the Planning and Compensation Act 1991, Paragraph 35.