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*Changes to legislation: There are currently no known outstanding effects for the Planning and Compensation Act 1991, Paragraph 36. (See end of Document for details)*

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## SCHEDULES

### SCHEDULE 4

#### DEVELOPMENT PLANS

##### PART II

###### MINOR AND CONSEQUENTIAL AMENDMENTS

- 36 (1) In Schedule 2 to that Act (transitional provisions with respect to unitary development plans)—
- (a) in Part I, paragraphs 3, 5 and 6, and
  - (b) in Part II, paragraphs 3 to 16 and 18,
- are omitted.
- (2) For paragraph 4 of Part I of that Schedule and paragraph 17 of Part II of that Schedule there is substituted in each case—
- “0 (1) Sub-paragraph (2) applies where—
- (a) a local plan is in force in the area of a local planning authority;
  - (b) a unitary development plan is being prepared;
  - (c) the local planning authority who are preparing that plan have published in the prescribed manner a statement in the prescribed form identifying a policy included in the plan as an existing policy; and
  - (d) a local inquiry or other hearing is held for the purpose of considering any objection to the plan.
- (2) Where this sub-paragraph applies, the person holding the inquiry or other hearing need not allow an objector to appear if he is satisfied that—
- (a) the objection is to a policy identified in the statement published under sub-paragraph (1)(c);
  - (b) the policy so identified is an existing policy; and
  - (c) there has been no significant change in circumstances affecting the existing policy since it first formed part of the plan mentioned in sub-paragraph (1)(a).
- (3) In this paragraph “existing policy” means a policy or proposal the substance of which (however expressed) was contained in a local plan in force as mentioned in sub-paragraph (1)(a).”

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### Commencement Information

- II** Sch. 4 para. 36 wholly in force: Sch. 4 para. 36 in force for certain purposes at 25.11.1991, see s. 84(2) (3) and S.I. 1991/2728, **art. 2**; Sch. 4 para. 36 in force at 10.2.1992 so far as not already in force by S.I. 1991/2905, **art. 4**

**Changes to legislation:**

There are currently no known outstanding effects for the Planning and Compensation Act 1991, Paragraph 36.