STATUTORY INSTRUMENTS

1974 No. 1070 (C.19)

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning Act 1971 (Commencement No. 28) Order 1974

Made - - 20th June 1974

The Secretary of State for the Environment in relation to England, and the Secretary of State for Wales in relation to Wales, in exercise of the power conferred on them by section 21 of the Town and Country Planning Act 1971(a) hereby make the following order:—

- 1.—(1) This order may be cited as the Town and Country Planning Act 1971 (Commencement No. 28) Order 1974.
 - (2) In this order—

"the Act" means the Town and Country Planning Act 1971; and

"the Order area" means those areas of England described in the orders specified in Schedule 1 to this order and the whole of Wales.

2. The provisions of the Act specified in the first column of Schedule 2 hereto (which relate to the matters specified in the second column of the said Schedule) shall come into operation in the Order area on 1st August 1974.

SCHEDULE 1

S.I. 1971/1108 (C.25) (1971 II, p.3289)	The Town and Country Planning Act 1968 (Commencement No. 6) (Teesside etc.) Order 1971
S.I. 1971/2079 (C.54) (1971 III, p.6155)	The Town and Country Planning Act 1968 (Commencement No. 7) (South Hampshire) Order 1971
S.I. 1971/2080 (C.55) (1971 III, p.6158)	The Town and Country Planning Act 1968 (Commencement No. 8) (Leicester-Leicestershire) Order 1971
S.I. 1972/1060 (C.18) (1972 II, p.3168)	The Town and Country Planning Act 1971 (Commencement No. 1) (West Midlands) Order 1972

S	I. 1972/1408 (C.33) (1972 III, p.4279)	The Town and Country Planning Act 1971 (Commencement No. 6) (Buckinghamshire) Order 1972
S	I. 1972/1559 (C.39) (1972 III, p.4544)	The Town and Country Planning Act 1971 (Commencement No. 9) (Brighton etc.) Order 1972
S.	I. 1972/2032 (C.46) (1972 III, p.6014)	The Town and Country Planning Act 1971 (Commencement No. 10) (Norfolk and East Suffolk etc.) Order 1972
S.	I. 1973/87 (C.3) (1973 I, p.468)	The Town and Country Planning Act 1971 (Commencement No. 11) (Greater Manchester and North-East Lancashire) Order 1973
S.	I. 1973/88 (C.4) (1973 I, p.471)	The Town and Country Planning Act 1971 (Commencement No. 12) (Carlisle-West Cumberland) Order 1973
S.	I. 1973/523 (C.15) (1973 I, p.1690)	The Town and Country Planning Act 1971 (Commencement No. 13) (Hertfordshire) Order 1973
S.	I. 1973/524 (C.16) (1973 I, p.1692)	The Town and Country Planning Act 1971 (Commencement No. 14) (Northampton-Northamptonshire) Order 1973
S.	I. 1973/750 (C.18) (1973 I, p.2397)	The Town and Country Planning Act 1971 (Commencement No. 15) (Merseyside) Order 1973
S.	I. 1973/751 (C.19) (1973 I, p.2401)	The Town and Country Planning Act 1971 (Commencement No. 16) (Southend-on-Sea—Essex) Order 1973
S.	I. 1973/1069 (C.26) (1973 II, p.3208)	The Town and Country Planning Act 1971 (Commencement No. 17) (Oxford-Oxfordshire etc.) Order 1973
S.	I. 1973/1279 (C.33) (1973 II, p.3880)	The Town and Country Planning Act 1971 (Commencement No. 18) (East Midlands (Part)) Order 1973
S.	I. 1973/1280 (C.34) (1973 II, p.3885)	The Town and Country Planning Act 1971 (Commencement No. 19) (Luton-Bedfordshire) Order 1973
S.	I. 1973/1426 (C.39) (1973 II, p.4368)	The Town and Country Planning Act 1971 (Commencement No. 20) (Doncaster, etc.) Order 1973
S.	I. 1973/1585 (C.47) (1973 III, p.4972)	The Town and Country Planning Act 1971 (Commencement No. 22) (Isle of Wight) Order 1973
S.	I. 1973/1657 (C.50) (1973 III, p.5141)	The Town and Country Planning Act 1971 (Commencement No. 23) (Wiltshire) Order 1973
S.	I. 1973/2222 (C.67) (1973 III, p.7910)	The Town and Country Planning Act 1971 (Commencement No. 25) (Cheshire etc.) Order 1973
S.	I. 1973/2223 (C.68) (1973 III, p.7914)	The Town and Country Planning Act 1971 (Commencement No. 26) (Hartlepool etc.) Order 1973

SCHEDULE 2

PROVISIONS COMING INTO OPERATION IN THE ORDER AREA ON 1ST AUGUST 1974

Provisions of the Act	Subject matter of provisions
Section 10C	Provisions relating to the preparation of local plans and development plan schemes.

Anthony Crosland,
Secretary of State for the Environment.

19th June 1974.

John Morris,
Secretary of State for Wales.

20th June 1974.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force for those areas of England described in the commencement orders specified in Schedule 1, and for the whole of Wales, section 10C of the Town and Country Planning Act 1971 (inserted into that Act by section 183 of the Local Government Act 1972 (1972 c.70)).

The provisions which are brought into force require a county planning authority, in consultation with the district planning authority, to prepare a development plan scheme for their area. This scheme will specify which planning authority is to be responsible for the preparation of local plans within that area, and will also specify such matters as the title and nature of each local plan, and will set out a programme for their preparation. In addition, the Secretary of State is empowered to direct a county planning authority, after consultation with the district planning authorities, to prepare or amend a development plan scheme. If a district planning authority make representations to the Secretary of State that they are dissatisfied with the proposals of the county planning authority for a development plan scheme, or if a county planning authority fail to comply with a direction by the Secretary of State requiring the preparation or amendment of a development plan scheme, power is given to the Secretary of State to prepare or amend the scheme, and any scheme or amendment so made is to have effect as if made by the county planning authority. Unless a development plan scheme or a structure plan provides to the contrary, the function of preparing a local plan rests with the district planning authority.

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