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STATUTORY INSTRUMENTS

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**1996 No. 1863**

**The Cheshire (Boroughs of Halton and Warrington) (Structural Change) Order 1996**

**PART II**

**LOCAL GOVERNMENT REORGANISATION IN HALTON AND WARRINGTON**

**Planning functions**

4.—(1) The Halton Council and the Warrington Council shall each be treated as an authority to whose area Chapter I of Part II of the 1990 Act (“Chapter I”) (unitary development plans) applies, instead of Chapter II of that Part (structure and local plans).

(2) For the purposes of paragraph (1) above, Halton or, as the case may be, Warrington shall be treated as if it were the area of a local planning authority in a metropolitan county and references in Chapter I to the local planning authority shall be construed accordingly.

(3) The 1990 Act shall have effect in relation to Halton and Warrington as if—

- (a) in section 27 (meaning of “development plan” in Greater London and metropolitan counties), for the words “any district in Greater London or a metropolitan county (whether the whole or part of the area of a local planning authority)” there were substituted the words “the district of Halton (whether the whole or part of the area of that district)” or, as the case may be, “the district of Warrington (whether the whole or part of the area of that district)”; and

(b) section 28 (commencement of Chapter I: transitional provisions) did not apply.

(4) Until a unitary development plan becomes operative for the area of Halton or the area of Warrington (or where parts of such a plan become operative on different dates until every part of such a plan has become operative)—

(a) Part I of Schedule 2 to the 1990 Act (which provides for existing development plans to continue in force) shall apply to that area; and

(b) Part III of that Schedule shall apply to it for the purposes of making continuing provision for the transitional matters for which provision was made immediately before the commencement of the 1990 Act by Schedule 7 to the Town and County Planning Act 1971 (old development plans, etc)(1);

and Part I of Schedule 2 shall have effect in relation to Halton or, as the case may be, Warrington as if the reference in paragraph 1(1) to the commencement of the 1990 Act were a reference to the coming into force of this article.

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(1) 1971 c. 78.