
*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)*

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

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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.

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