STATUTORY INSTRUMENTS

1972 No. 1152 (C.23)

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning Act 1971 (Commencement No. 3) (Leicester-Leicestershire) Order 1972

Made - - - 31*st July* 1972

The Secretary of State for the Environment in exercise of the power conferred on him by section 21 of the Town and Country Planning Act 1971(**a**) hereby makes the following order:—

1.—(1) This order may be cited as the Town and Country Planning Act 1971 (Commencement No. 3) (Leicester-Leicestershire) Order 1972.

(2) In this order:—
"the Act" means the Town and Country Planning Act 1971; and
"the Order area" means the area described in Schedule 1 to this order.

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 21st August 1972.

SCHEDULE 1

THE ORDER AREA

The county borough of Leicester.

The administrative county of Leicestershire.

SCHEDULE 2

PROVISIONS COMING INTO OPERATION IN THE ORDER AREA ON 21ST AUGUST 1972

Provisions of the Act		Subject matter of provisions
In Part II:	section 9(3) and (5) to (8)	Amended provisions relating to approval of structure plans by Secretary of State.
	section 10A	Provision for joint surveys, reports and structure plans.
	section 10B	Provision for withdrawal of structure plans, and as to effect of steps taken in connection with plans withdrawn or not submitted.
	section 14(4)	Provisions relating to approval of local plans submitted to the Secretary of State.

(**a**) 1971 c. 78.

Peter Walker,
Secretary of State for the Environment.

31st July 1972.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force for the county borough of Leicester and the administrative county of Leicestershire those provisions of Part II of the Town and Country Planning Act 1971 (inserted into that Act by sections 1, 2 and 3 of the Town and Country Planning (Amendment) Act 1972 (1972 c. 42)) which are set out in Schedule 2. By virtue of the Town and Country Planning Act 1968 (Commencement No. 8) (Leicester-Leicestershire) Order 1971 (S.I. 1971/2080 (C. 55)), the remaining provisions of Part II of the Act, which relate to structure and local plans, are already in operation in the area concerned.

The provisions which are brought into force by the present Order are—

(*a*) new substantive provisions empowering any two or more local planning authorities, with the consent of the Secretary of State, to carry out their duties under Part II of the Act of 1971 to institute surveys, prepare reports and prepare and submit structure plans for their areas by instituting a joint survey, preparing a joint report and preparing and submitting a joint structure plan for a combined area consisting of their areas or any part of their areas;

(*b*) new substantive provisions for the withdrawal of structure plans after submission to the Secretary of State;

(*c*) provisions specifying an amended procedure for the consideration and approval by the Secretary of State of structure plans and proposals for the amendment of structure plans (under this new procedure, the Secretary of State will no longer be required to afford objectors to the structure plan or to the proposals an opportunity of being heard at an inquiry but he will still be required to consider all valid objections and will, in addition, be required to hold an examination in public of matters affecting his consideration of the plan or proposals);

(*d*) the provisions now set out in section 14(4) of the Act of 1971 for the procedure to be adopted where the Secretary of State has directed that a local plan be submitted to him for approval.

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