STATUTORY INSTRUMENTS

1977 No. 470 (C. 16)

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning Act 1971 (Commencement No. 36) (South Hampshire) Order 1977

Made - - - - 11*th March* 1977

The Secretary of State for the Environment, in exercise of the powers conferred on him by sections 21 and 287 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. 36) (South Hampshire) Order 1977.

(2) In this order—

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

"the Order area" means the area described in Schedule 1 to the order.

2. The provisions of the Act which are 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 12th April 1977.

3. Notwithstanding the bringing into operation of those provisions of Part I of Schedule 23 to the Act specified in Schedule 2 to the order, any reference in the Land Compensation Act 1961**(b)** to an area defined in the current development plan as an area of comprehensive development shall continue to be construed as including a reference to an area so defined in any development plan currently in force.

(a) 1971 c. 78. **(b)** 1961 c. 33.

SCHEDULE 1

THE ORDER AREA

In the County of Hampshire:—

The Cities of Portsmouth and Southampton.

In the City of Winchester, the following parishes:—

Bishops Waltham
Boarhunt
Colden Common
Compton
Curdridge
Denmead
Droxford
Durley
Hambledon
Hursley
Olivers Battery
Otterbourne
Owslebury
Shedfield
Soberton
Southwick and Widley
Swanmore
Twyford
Upham
Wickham

The Boroughs of Eastleigh, Fareham, Gosport and Havant.

In the Borough of Test Valley, the following parishes:—

Ampfield
Chilworth
North Baddesley
Nursling and Rownhams
Romsey
Romsey Extra

In the District of East Hampshire, the following parishes:—

Clanfield
Horndean
Rowlands Castle

In the District of New Forest, the following parishes:—

Copythorne
Dibden
Fawley
Marchwood
Netley Marsh
Totton and Eling.

SCHEDULE 2

PROVISIONS COMING INTO OPERATION IN THE ORDER AREA ON 12TH APRIL 1977

Provisions of the Act	Subject matter of provisions
Section 20.	Meaning of "development plan" for the purposes of the Act and of certain other enactments.
In Schedule 23 that paragraph in Part I which relates to the Land Compensation Act 1961.	Meaning of "area of comprehensive development" in the Land Compensation Act 1961.

Peter Shore,
11th March 1977. Secretary of State for the Environment.

EXPLANATORY NOTE

(*This Note is not part of the Order.*)

This Order brings into force for those parts of the County of Hampshire described in Schedule 1 to the order (formerly the county boroughs of Portsmouth and Southampton and part of the administrative county of Hampshire) section 20 of, and certain of the provisions of Part I of Schedule 23 to, the Town and Country Planning Act 1971 specified in Schedule 2 to the order. Section 20 provides, for the purposes of the Act of 1971, any other enactment relating to town and country planning, the Land Compensation Act 1961 and the Highways Act 1959 (c. 25), that the development plan for any district shall consist of the structure and local plans for that area. The provision in Part 1 of Schedule 23 which is specified in Schedule 2 to this order provides for references in the Land Compensation Act 1961 to areas defined in the current development plan as areas of comprehensive development to be construed as references to action areas for which a local plan is in force.

The Order contains a transitional provision relating to old-style development plans (which remain in existence alongside structure plans until revoked by order of the Secretary of State). The provision secures that references to areas of comprehensive development in the Land Compensation Act 1961 are continued to be construed as including references to areas so defined in any old-style development plan.

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