

NATIONAL ASSEMBLY FOR WALES

STATUTORY INSTRUMENTS

2005 No. (W.) (C.)

**TOWN AND COUNTRY
PLANNING, WALES**

**The Planning and Compulsory
Purchase Act 2004
(Commencement No.3 and
Consequential and Transitional
Provisions) (Wales) Order 2005**

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings certain further provisions of Part 6 of the Planning and Compulsory Purchase Act 2004 (“the Act”) into force on 30 April 2005, namely sections 62 and 63 (insofar as they have not already been brought into force), 72 and 73 of the Act.

Part 6 of the Act (sections 60 to 78) applies only to Wales and establishes a system of local development plans (“plans”) in place of the unitary development plans required under Chapter I of Part II of the Town and Country Planning Act 1990 (“the 1990 Act”).

The effect of the Order will be to enable those local planning authorities which have expressed a wish to commence work on the preparation of their plans to do so. The authorities in question are —

Caerphilly County Borough Council
The Council of the City and County of Cardiff
Conwy County Borough Council
Denbighshire County Council
Merthyr Tydfil County Borough Council
Rhondda Cynon Taf County Borough Council
Snowdonia National Park Authority
Torfaen County Borough Council
Wrexham County Borough Council

In relation to the remaining local planning authorities in Wales (i.e. those specified in the Schedule to this

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Order) the existing provisions of the 1990 Act will continue to apply for the time being.

**NOTE AS TO EARLIER COMMENCEMENT
ORDERS**

(This note is not part of the Order)

The provisions of Part 6 of the Planning and Compulsory Purchase Act 2004 set out in the Table below came into force on the dates indicated by virtue of Orders made by the National Assembly for Wales.

Section(s)	Date of commencement	S.I. number
60	14 July 2004	2004/1814 (W.199) (C.74)
62(4) and (5)(g)	1 August 2004	2004/1813 (W.198) (C.73)
63(3)(a) and (7)	1 August 2004	2004/1813 (W.198) (C.73)
75	1 August 2004	2004/1813 (W.198) (C.73)
76(2) (in part) and (3) (in part)	1 August 2004	2004/1813 (W.198) (C.73)
77	1 August 2004	2004/1813 (W.198) (C.73)
78	1 August 2004	2004/1813 (W.198) (C.73)

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**The Planning and Compulsory
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Provisions) (Wales) Order 2005**

Made

March 2005

The National Assembly for Wales, in exercise of the powers conferred upon it by sections 121(5) and 122(3)(b) of the Planning and Compulsory Purchase Act 2004 (“the Act”)(1), hereby makes the following Order:

Title

1. The title of this Order is the Planning and Compulsory Purchase Act 2004 (Commencement No.3 and Consequential and Transitional Provisions) (Wales) Order 2005.

Appointed day

2. The appointed day for the coming into force of the following provisions of the Act, namely—

- (a) section 62 (local development plan), insofar as it is not already in force;
- (b) section 63 (preparation requirements), insofar as it is not already in force;
- (c) section 72 (joint local development plans);
and
- (d) section 73 (exclusion of certain representations),

is 30 April 2005.

(1) 2004 c.5.

Consequential provisions

3. On the day appointed by article 2, the following provisions of the Town and Country Planning Act 1990 (“the 1990 Act”)(**2**) cease to have effect in relation to Wales—

- (a) section 12 (preparation of unitary development plan);
- (b) section 21 (alteration or replacement of unitary development plan); and
- (c) section 23B (unitary development plans for National Parks in Wales).

Transitional provisions

4. In relation to the local planning authorities listed in the Schedule to this Order and to their areas,—

- (a) the provisions of the Act brought into force by article 2 do not apply; and
- (b) the provisions of the 1990 Act which cease to have effect under article 3 continue in force.

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**3**).

Date

The Presiding Officer of the National Assembly

(**2**) 1990 c. 8.
(**3**) 1998 c.38.

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Article 4

SCHEDULE

Blaenau Gwent County Borough Council
Brecon Beacons National Park Authority
Bridgend County Borough Council
Carmarthenshire County Council
Ceredigion County Council
Flintshire County Council
Gwynedd County Council
Isle of Anglesey County Council
Monmouthshire County Council
Neath Port Talbot County Borough Council
Newport City Council
Pembrokeshire County Council
Pembrokeshire Coast National Park Authority
Powys County Council
The Council of the City and County of Swansea
Vale of Glamorgan County Borough Council