STATUTORY INSTRUMENTS

1968 No. 1908 (C.25)

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning Act 1968 (Commencement No. 1) Order 1968

Made - - - 29th November 1968

The Minister of Housing and Local Government and the Secretary of State in exercise of the power conferred on each of them by section 105 of the Town and Country Planning Act 1968(a) in relation to England and Wales respectively hereby make the following Order :—

1. The provisions of the Town and Country Planning Act 1968 (hereinafter referred to as "the Act") specified in the first column of Schedule 1 hereto (which relate to the matters specified in the second column of the said Schedule) shall come into operation in the whole of England and Wales on 6th December 1968.

2. The transitional provisions contained in Schedule 2 to this Order shall have effect in connection with the provisions brought into force by this Order.

3. This Order may be cited as the Town and Country Planning Act 1968 (Commencement No. 1) Order 1968.

SCHEDULE 1

Provisions coming into operation on 6th December 1968.

Provisions of the Act	*Subject matter of provisions*
Section 39	Restriction on exercise by public authorities of power of disposing of land.
Section 61	Constitution of Planning Inquiry Commissions.
Section 62	References to a Planning Inquiry Commission.
Section 63	Procedure on reference to a Planning Inquiry Commission.
Section 69	New provision as to what is "operational land" of statutory undertakers.

(a) 1968 c. 72.

Provisions of the Act	*Subject matter of provisions*
Section 70	Planning applications and appeals by statutory undertakers.
Section 71	Restrictions on entitlement of statutory undertakers to compensation for adverse planning decisions.
Section 72	Modifications of section 164 of the Town and Country Planning Act 1962(a) (hereinafter referred to as "the principal Act").
Section 73	Notice for same purposes as section 164 but given by statutory undertakers to developing authority.
Section 74	Expansion of building below ground to constitute development.
Section 75	Modifications of transitory exemptions based on pre-1948 use.
Section 79	Reference to Minister of application for approval under outline planning permission.
Section 82	Notice by Minister to planning authority when exercising default powers.
Section 98	Grants for research etc.
Section 99	Exchequer contributions in connection with town development.
Section 100	Agreements of Crown Estate Commissioners.
Section 101	Increase of certain penalties under the principal Act.
Section 102	Offences by corporations.
Section 103	Expenses.
Section 104	Interpretation.
Section 105	Commencement.
Section 106	Adaptation, amendment and modification of enactments.
Section 107	Transitional provisions and savings.
Section 108	Repeals.

(a) 1962 c. 38.

Provisions of the Act	*Subject matter of provisions*
Section 109 (except so far as it relates to amendments to section 24(9) of the Industrial Development Act 1966(a) and section 8(3) of the Civic Amenities Act 1967(b)).	Short title, citation and extent.
Schedule 6	Construction of references in section 62 and 63 to "the responsible Minister or Ministers".
Schedule 8	Increase of penalties under the principal Act.
In Schedule 9 paragraph 18	Power to define areas of special advertisement control by reference to the provisions of a development plan to cease to have effect.
In Schedule 9 paragraph 19	Approval of the Minister to agreements under section 37 of the principal Act to be dispensed with.
In Schedule 9 paragraph 30	Substitution of 1st August 1948 for previous provision as to dates of display of advertisement qualifying for compensation under section 126 of the principal Act.
In Schedule 9 paragraph 34	Alteration of reference to section 160(1) of the principal Act in section 160(2).
In Schedule 9 paragraph 43	Application of section 196 of the principal Act (expenses of county councils) to the provisions of the Act.
In Schedule 9 paragraph 44	Application of section 197(1) of the principal Act (power to modify that Act in relation to minerals) to the provisions of the Act.
In Schedule 9 paragraph 45(*a*)	Inclusion of the Greater London development plan as a plan which may contain proposals relating to the use of Crown land.
In Schedule 9 paragraph 46	Application of section 203(1) of the principal Act (power to apply that Act to Isles of Scilly) to the provisions of the Act.
In Schedule 9 paragraph 47	Power to apply sections 69 to 71 of the Act to the National Coal Board.

(a) 1966 c. 34. (b) 1967 c. 69.

Provisions of the Act	*Subject matter of provisions*
In Schedule 9 paragraph 48(*a*)	Provision as to service of notices in respect of land which is ecclesiastical property.
In Schedule 9 paragraph 51	Power to require information as to interests in land in connection with an order or notice under the Act.
In Schedule 9 paragraph 52(*a*) and (*b*)	Provisions as to regulations prescribing forms, and orders under the Act.
In Schedule 9 paragraph 53(*a*)	Insertion in the principal Act of definition of the Act ("the Act of 1968").
In Schedule 9 paragraph 58 (except so far as it relates to applications under Part V of the Act for listed building consent).	Provision as to local planning authorities in Greater London for the purposes of the Act.
In Schedule 9 paragraph 59 (except so far as it relates to Part II of the Act).	Provision for cases where the Greater London Council is the local planning authority.
In Schedule 10 paragraph 1	Approval of Minister required to proposals for alteration or additions to a development plan under existing legislation.
In Schedule 10 paragraph 8	Meaning of reference to "development plan" in relation to Greater London.
In Schedule 10 paragraph 9	Provision for case where repeal of existing provisions as to development plans comes into operation on different days.
In Schedule 10 paragraph 21	Saving for existing regulations under section 204(1) of the principal Act.
In Schedule 11, the entries relating to the Town and Country Planning Act 1959(**a**), section 26(5)(*b*); and the principal Act, sections 13(6) and (10), 34(4), 37(1), 159(2), 160(1), 161(2), 162(2), 163(3)(*b*), 165(3), 200(2) and 203(1).	Repeals consequential on the bringing into operation of the above-mentioned provisions.

(**a**) 1959 c. 53.

SCHEDULE 2

Transitional provisions

The amendment of section 24 of the London Government Act 1963(a) effected by paragraph 58 of Schedule 9 to the Act shall be subject to the provisions of sections 25 to 27 of the said Act of 1963 for so long as those sections remain in force.

Given under the official seal of the Minister of Housing and Local Government on 29th November 1968.

(L.S.) *Anthony Greenwood,*
Minister of Housing and Local Government.

Eirene White,
Minister of State, Welsh Office.

29th November 1968.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force for the whole of England and Wales certain provisions of the Town and Country Planning Act 1968 which are set out in Schedule 1 to the Order, subject to the transitional provisions contained in Schedule 2.

(a) 1963 c. 33.