STATUTORY INSTRUMENTS

1978 No. 725 (C. 17)

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning Act 1971 (Commencement No. 41) (West Midlands (Part)) Order 1978

Made - - - - 17*th May* 1978

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. 41) (West Midlands (Part)) Order 1978.

(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 28th June 1978.

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 plans 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 West Midlands:

The Boroughs of Sandwell and Wolverhampton.

In the City of Birmingham, the following wards:

Acock's Green	Harborne	Sandwell
All Saints'	King's Norton	Selly Oak
Aston	Kingstanding	Shard End
Billesley	Ladywood	Sheldon
Brandwood	Longbridge	Small Heath
Deritend	Moseley	Soho
Duddeston	Newtown	Sparkbrook
Edgbaston	Northfield	Sparkhill
Erdington	Oscott	Stechford
Fox Hollies	Perry Barr	Stockland Green
Gravelly Hill	Quinton	Washwood Heath
Hall Green	Rotton Park	Weoley
Handsworth	Saltley	Yardley

In the Borough of Dudley, the following wards:

Wards 1 (formerly Brierley Hill), 2 (formerly Brockmoor & Pensnett), 3 (formerly Castle and St Thomas' wards), 4 (formerly Coseley East), 5 (formerly Coseley West), 6 (formerly Gornal), 7 (formerly Kingswinford & Wall Heath), 8 (formerly Netherton & Woodside), 9 (formerly Priory), 10 (formerly Quarry Bank), 11 (formerly St Andrew's) 12 (formerly St James'), 13 (formerly Sedgley) and 14 (formerly Wordsley).

In the Borough of Walsall, the following wards:

Wards 1 (formerly Bentley), 2 (formerly Birchills and Leamore wards), 3 (formerly Blakenall), 4 (formerly Bloxwich East), 5 (formerly Bloxwich West), 6 (formerly Darlaston North), 7 (formerly Darlaston South), 8 (formerly Hatherton), 9 (formerly Paddock), 10 (formerly Palfrey), 11 (formerly Pleck), 12 (formerly St Matthew's), 13 (formerly Willenhall North) and 14 (formerly Willenhall South).

SCHEDULE 2

PROVISIONS COMING INTO OPERATION IN THE ORDER AREA ON 28TH JUNE 1978

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,
Secretary of State for the Environment.

17th May 1978.

EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order bring into force for those parts of the County of West Midlands described in Schedule 1 to the order (formerly the county boroughs of Birmingham, Dudley, Walsall, Warley, West Bromwich and Wolverhampton) 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 I 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 plans 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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