STATUTORY INSTRUMENTS

1972 No. 1314 (C.32)

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning Act 1971 (Commencement No. 5) (West Midlands) Order 1972

Made - - - 21*st August* 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. 5) (West Midlands) 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 11th September 1972.

SCHEDULE 1

THE ORDER AREA

The county boroughs of Birmingham, Burton upon Trent, Coventry, Dudley, Solihull, Stoke-on-Trent, Walsall, Warley, West Bromwich, Wolverhampton and Worcester.

The administrative counties of Herefordshire, Salop, Warwickshire and Worcestershire.

In the administrative county of Staffordshire:—

The boroughs of Lichfield, Newcastle-under-Lyme, Stafford and Tamworth.

The urban districts of Aldridge-Brownhills, Biddulph, Cannock, Kidsgrove, Leek, Rugeley, Stone and Uttoxeter.

The rural districts of Cannock, Lichfield, Newcastle-under-Lyme, Seisdon, Stafford, Stone, Tutbury and Uttoxeter.

In the rural district of Cheadle, the whole of the following parishes:—

Alton
Caverswall
Cheadle
Checkley
Cheddleton
Consall
Cotton
Dilhorne
Draycott in the Moors
Farley

(a) 1971 c. 78.

Forsbrook
Ipstones
Kingsley
Oakamoor

Those parts of the parishes of Blore with Swinscoe and Waterhouses which lie outside the area included in the Peak District National Park (Designation) Order 1951, and which are more particularly delineated on the map annexed hereto and thereon hatched black.

In the rural district of Leek, the whole of the following parishes:—

Bagnall
Bradnop
Brown Edge
Endon and Stanley
Horton
Longsdon
Rushton
Tittesworth

Those parts of the parishes of Heaton, Onecote and Leekfrith which lie outside the area included in the Peak District National Park (Designation) Order 1951, and which are more particularly delineated on the said map and thereon hatched black.

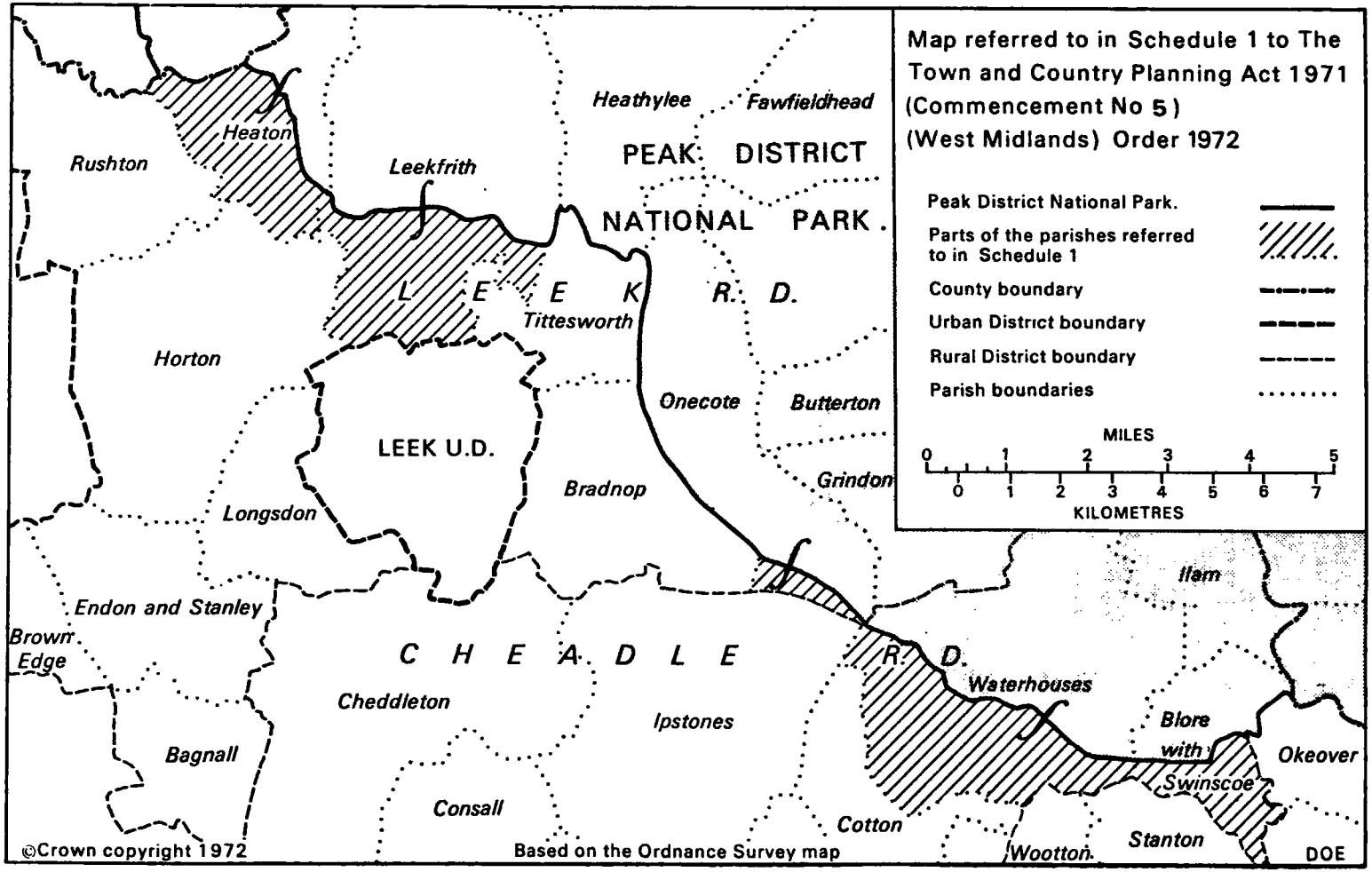
SCHEDULE 2

PROVISIONS COMING INTO OPERATION IN THE ORDER AREA ON 11th September 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.

P. Walker,
Secretary of State for the Environment.

21st August 1972.



S.I. 1972/1314

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EXPLANATORY NOTE

(This Note is not part of the Order.)

This Order brings into force for the area of the West Midlands as described in Schedule 1 to the Order those provisions of Part II of the Town and Country Planning Act 1971 which were inserted into that Act by sections 1, 2 and 3 of the Town and Country Planning (Amendment) Act 1972 (1972 c. 42) and which are set out in Schedule 2 to the Order. By virtue of the Town and Country Planning Act 1971 (Commencement No. 1) (West Midlands) Order 1972 (S.I. 1972/1060 (C.18)), the remaining provisions of Part II of the Act, which relate to structure and local plans were brought into force in the area concerned on 25th July 1972.

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.