STATUTORY INSTRUMENTS

1990 No. 2233

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Town and Country Planning (Isles of Scilly) Order 1990

Made - - - -	*8th November 1990*
Coming into force	*3rd December 1990*

The Secretary of State for the Environment, in exercise of the powers conferred upon him by section 319(1), (3) and (5) of the Town and Country Planning Act 1990(a), and of all other powers enabling him in that behalf, and after consultation with the Council of the Isles of Scilly, hereby makes the following Order:

Citation and commencement

1. This Order may be cited as the Town and Country Planning (Isles of Scilly) Order 1990, and shall come into force on 3rd December 1990.

Application of provisions to Isles of Scilly

2. The provisions of the Town and Country Planning Act 1990 and of the Planning (Consequential Provisions) Act 1990 specified in Part I of the Schedule to this Order shall apply to the Isles of Scilly as if those Isles were a separate county, subject to the modifications specified in Part II of that Schedule.

Revocation

3. The Town and Country Planning (Isles of Scilly) Order 1973(b) and the Town and Country Planning (Isles of Scilly) Order 1984(c) are hereby revoked.

Chris Patten
Secretary of State for the Environment

8th November 1990

(a) 1990 c.8; section 319 was applied by the Planning (Consequential Provisions) Act 1990 (c.11), Schedule 3, paragraph 7(2).
(b) S.I. 1973/1285.
(c) S.I. 1984/986.

SCHEDULE

PART I: PROVISIONS APPLIED
TOWN AND COUNTRY PLANNING ACT 1990

The provisions mentioned in Parts I, II and IV of Schedule 16.
Sections 1(4), 67, 72(5), 97(5), 102(8), 105, 116, 190 (in so far as it applies to orders under Schedule 9), 294(2) to (7), 295, 299 to 301 and 303.

The definitions of "development consisting of the winning and working of minerals" and "mineral working deposit" in section 336(1).

Paragraph 11(4) of Schedule 1.

Schedules 5, 9 and 11.

PLANNING (CONSEQUENTIAL PROVISIONS) ACT 1990

Paragraph 7 of Schedule 3.

PART II: MODIFICATIONS

1. Any reference to the local planning authority, or to the mineral planning authority, shall include a reference to the Council of the Isles of Scilly.

2. Any reference to the council of a county shall include a reference to the Council of the Isles of Scilly.

3. Any reference to a district shall include a reference to the Isles, and any reference to the council of a district shall include a reference to the Council of the Isles of Scilly.

4. Any requirement as to consultation between a local planning authority or mineral planning authority or the council of a county and the council of a district, or as to the giving of notice by one such authority or council to another, shall not apply.

5. Any reference to 1st August 1948 shall be construed as a reference to 1st August 1949.

EXPLANATORY NOTE

(This note is not part of the Order)

This Order applies to the Isles of Scilly, as if they were a separate county, the provisions of the Town and Country Planning Act 1990 and of the Planning (Consequential Provisions) Act 1990 specified or referred to in Part I of the Schedule, subject to the modifications specified in Part II.

The Town and Country Planning (Isles of Scilly) Order 1973 and the Town and Country Planning (Isles of Scilly) Order 1984 are revoked.

The Isles of Scilly are defined by, and the Council of the Isles is constituted under, the Isles of Scilly Order 1978 (S.I. 1978/1844).

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