

1990 No. 614 (C.20)

**TOWN AND COUNTRY PLANNING, ENGLAND AND
WALES**

**The Housing and Planning Act 1986
(Commencement No. 15) Order 1990**

Made - - - - 14th March 1990

The Secretary of State for the Environment, as respects England, and the Secretary of State for Wales, as respects Wales, in exercise of the powers conferred on them by section 57(2) of the Housing and Planning Act 1986(a) and of all other powers enabling them in that behalf, hereby make the following Order:

1. This Order may be cited as the Housing and Planning Act 1986 (Commencement No. 15) Order 1990.

2. The following provisions of the Housing and Planning Act 1986 ("the 1986 Act") shall come into force on 31st March 1990 ("the commencement date") –

- (a) section 43 (compulsory acquisition of land on behalf of parish or community councils);
- (b) section 49(2) (miscellaneous repeals), in so far as it relates to the repeal of the words "section 125(4) and (7)" in the entry relating to the Local Government Act 1972(b) in paragraph 1 of Schedule 4 to the Acquisition of Land Act 1981(c).

3. Where a compulsory purchase order has been made before the commencement date, section 125 of the Local Government Act 1972 shall apply to it as it applied immediately before that date; and for this purpose section 43 of the 1986 Act shall be treated as not having come into force.

14th March 1990

Chris Patten
Secretary of State for the
Environment

14th March 1990

Peter Walker
Secretary of State for Wales

EXPLANATORY NOTE

(This note is not part of the Order)

This Order brings into force on 31st March 1990 section 43 of the Housing and Planning Act 1986 which substitutes a new section for section 125 of the Local Government Act 1972 (c.70) (compulsory acquisition of land on behalf of parish or community councils).

The new section simplifies procedures to be followed where a district council makes a compulsory acquisition of land on behalf of a parish or community council, and brings such procedures into line with those applicable to other compulsory purchase orders.

Article 3 of the Order provides for the continued application of section 125 of the 1972 Act as originally enacted in respect of compulsory purchase orders made before 31st March 1990.

NOTE AS TO EARLIER COMMENCEMENT ORDERS

(This note is not part of the Order)

The following provisions of the Housing and Planning Act 1986 have been brought into force by commencement orders made before the date of this Order –

<i>Provision</i>	<i>Date of commencement</i>	<i>S.I. No.</i>
sections 1 to 4	7th January 1987	1986/2262
sections 10 to 14		
sections 16 and 17		
sections 19 and 20		
sections 22 and 23		
section 24 (partially)		
Part III (ss.27 to 29)		
Part VI (partially)		
section 49 (partially)	2nd March 1987	1987/304
section 40	1st April 1987	1987/348
section 49(2) (partially)		
section 9	13th May 1987	1987/754
section 24(1) (partially)	1st September 1987	1987/1554
sections 26, 50 and 51	1st October 1987	1987/1607
section 25	2nd November 1987	1987/1759
section 41		
section 49(1) (partially)		
section 49(2) (partially)		
section 18 (partially)	11th December 1987	1987/1939
section 24 (partially)		
Part V		
section 15	17th February 1988	1987/2277
section 24(1) (partially)		
section 6	11th March 1988	1988/283
section 42	17th November 1988	1988/1787
section 49(2) (partially)	5th April 1989	1989/430
section 8		

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