

*Status: Point in time view as at 01/01/2010.*

**Changes to legislation:** Local Government (Wales) Measure 2009, SCHEDULE 2 is up to date with all changes known to be in force on or before 30 September 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

## SCHEDULE 2

(introduced by section 51(2))

### MINOR AND CONSEQUENTIAL AMENDMENTS: PART 2

#### *Local Government Act 2000 (c. 22)*

- 1 Amend the Local Government Act 2000 as follows.

#### Commencement Information

**I1** Sch. 2 para. 1 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

- 2 In section 2 (promotion of well-being)—

- (a) in subsection (3) after “a local authority” insert “ in England ”;
- (b) after subsection (3A) insert—

“(3B) In determining whether or how to exercise the power under subsection (1), a local authority in Wales must have regard to the community strategy for its area published under section 39(4) of the Local Government (Wales) Measure 2009 or, where the strategy has been amended following a review under section 41 of that Measure, the strategy most recently published under section 41(6).”.

#### Commencement Information

**I2** Sch. 2 para. 2 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

- 3 In section 4 (strategies for promoting well-being)—

- (a) in subsection (1) after “every local authority” insert “ in England ”;
- (b) omit subsection (5).

#### Commencement Information

**I3** Sch. 2 para. 3 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

#### *Planning and Compulsory Purchase Act 2004 (c. 5)*

- 4 Amend section 62 of the Planning and Compulsory Purchase Act 2004 (local development plan) as follows.

#### Commencement Information

**I4** Sch. 2 para. 4 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

- 5 For subsection (5)(d) and (e) substitute—

“(d) any relevant community strategy;”.

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#### Commencement Information

**I5** Sch. 2 para. 5 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

6 For subsection (7) substitute—

“A community strategy is relevant if—

- (a) in the case of an authority which is a county council or county borough council, it has been published by the authority under section 39 of the Local Government (Wales) Measure 2009 or, if the strategy has been amended, it is the strategy most recently published under section 41 of that Measure;
- (b) in the case of an authority which is a National Park authority—
  - (i) its production involved the authority as a community planning partner within the meaning of section 38 of that Measure; and
  - (ii) it has been published under section 39 of that Measure or, if the strategy has been amended, it is the strategy most recently published under section 41 of that Measure.”.

#### Commencement Information

**I6** Sch. 2 para. 6 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

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