



Climate Change Act 2008

2008 CHAPTER 27

PART 5

OTHER PROVISIONS

Miscellaneous

81 Climate change measures reports in Wales

- (1) The Climate Change and Sustainable Energy Act 2006 (c. 19) is amended as follows.
- (2) After section 3 insert—

“3A Local authorities in Wales to have regard to climate change measures reports

- (1) The Welsh Ministers must from time to time publish a climate change measures report.
- (2) A local authority in Wales must, in exercising its functions, have regard to any current climate change measures report.
- (3) A “climate change measures report” means a report containing information about the local authority measures the Welsh Ministers consider would or might have any of the following effects—
 - (a) improving efficiency in the use of any description or source of energy;
 - (b) increasing the amount of energy generated, or heat produced, by microgeneration;
 - (c) increasing the amount of energy generated, or heat produced, by plant that relies wholly or mainly on a source of energy or a technology listed in section 26(2);
 - (d) reducing emissions of greenhouse gases;
 - (e) reducing the number of households in which one or more persons are living in fuel poverty;

Status: This is the original version (as it was originally enacted).

- (f) addressing the impact of climate change.
- (4) Before publishing a climate change measures report, the Welsh Ministers must consult such representatives of local government, and such other persons, as the Welsh Ministers consider appropriate.
- (5) The Secretary of State's consent is required to the publication in a climate change measures report of information about a local authority measure to which subsection (6) applies.
- (6) This subsection applies to a local authority measure if the Secretary of State has a function in relation to the measure of—
 - (a) making subordinate legislation,
 - (b) issuing guidance or directions, or
 - (c) making determinations or hearing appeals,and that function is exercisable in relation to Wales.
- (7) In this section—
 - “local authority” means any of the following—
 - (a) a county council;
 - (b) a county borough council;
 - (c) a community council;
 - “local authority measure” means anything a local authority in Wales may do in the exercise of its functions (including deciding not to exercise a power).”.
- (3) In section 3 of that Act (local authorities to have regard to information on energy in exercising functions)—
 - (a) for the heading substitute “Local authorities in England to have regard to energy measures reports”,
 - (b) in subsection (2), after “local authority” insert “in England”,
 - (c) in subsection (4), in the definition of “local authority measure”, for “a local authority” substitute “a local authority in England”,
 - (d) in subsection (5) omit “the National Assembly for Wales and”, and
 - (e) in subsection (6) omit paragraphs (b) and (h).