



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 3

PLANNING

CHAPTER 6

OTHER PROVISION

132 Pre-consolidation amendment of planning, development and compulsory purchase legislation

- (1) The Secretary of State may by regulations make such amendments and modifications of the relevant enactments as in the Secretary of State's opinion facilitate, or are otherwise desirable in connection with, the consolidation of some or all of those enactments.
- (2) "Relevant enactments" means—
 - (a) the enactments listed in [subsection \(3\)](#), and
 - (b) any other enactments, whenever passed or made, so far as relating to—
 - (i) planning or development, or
 - (ii) the compulsory purchase of land (including compensation for such purchases).
- (3) The enactments referred to in [subsection \(2\)\(a\)](#) are—
 - the Land Clauses Consolidation Act 1845;
 - the Railway Clauses Consolidation Act 1845;
 - sections 9, 13, 76 and 77 of the National Parks and Access to the Countryside Act 1949;
 - the Land Compensation Act 1961;
 - the Compulsory Purchase Act 1965;
 - the Agriculture Act 1967;

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the Civic Amenities Act 1967;
the Land Compensation Act 1973;
sections 13 to 16 of (and Schedule 1 to) the Local Government (Miscellaneous Provisions) Act 1976;
Parts 13, 14, 16 and 18 of the Local Government, Planning and Land Act 1980;
the Compulsory Purchase (Vesting Declarations) Act 1981;
the Acquisition of Land Act 1981;
the New Towns Act 1981;
Part 3 of the Housing Act 1988;
TCPA 1990;
the Listed Buildings Act;
the Hazardous Substances Act;
the Planning and Compensation Act 1991;
Part 3 and section 96 of (and Schedule 14 to) the Environment Act 1995;
GLAA 1999;
PCPA 2004;
the Planning Act 2008;
the Planning and Energy Act 2008;
Chapter 3 of Part 5, Part 6 and Chapter 2 of Part 8 of the Localism Act 2011;
Parts 6 and 7 of the Housing and Planning Act 2016;
section 15 of the Neighbourhood Planning Act 2017;
Parts 3 to 9 of this Act.

- (4) For the purposes of this section, “amend” includes repeal and revoke (and similar terms are to be read accordingly).
- (5) Subsection (6) applies where, in the Secretary of State’s opinion, an amendment or modification made by regulations under this section facilitates or is otherwise desirable in connection with the consolidation of certain relevant enactments.
- (6) The regulations must provide that the amendment or modification comes into force immediately before an Act consolidating those relevant enactments comes into force.
- (7) Regulations under this section must not make any provision which is within—
- (a) Scottish devolved legislative competence,
 - (b) Welsh devolved legislative competence, or
 - (c) Northern Ireland devolved legislative competence,
- unless that provision is a restatement of provision or is merely incidental to, or consequential on, provision that would be outside that legislative competence.
- (8) For the purposes of subsection (7)—
- (a) provision is within “Scottish devolved legislative competence” where, if it were included in an Act of the Scottish Parliament, it would be within the legislative competence of that Parliament;
 - (b) provision is within “Welsh devolved legislative competence” where, if it were included in an Act of Senedd Cymru, it would be within the legislative competence of the Senedd (including any provision that could be made only with the consent of a Minister of the Crown);
 - (c) provision is within “Northern Ireland devolved legislative competence” where the provision—

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- (i) would be within the legislative competence of the Northern Ireland Assembly, if it were included in an Act of that Assembly, and
- (ii) would not, if it were included in a Bill for an Act of the Northern Ireland Assembly, result in the Bill requiring the consent of the Secretary of State.

(9) In this section “Minister of the Crown” has the same meaning as in the Ministers of the Crown Act 1975.

Commencement Information

II S. 132 in force at 26.12.2023, see s. 255(3)(a)

Changes to legislation:

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