

Status: Point in time view as at 01/01/2010.

Changes to legislation: Local Government (Wales) Measure 2009 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)

VALID FROM 01/04/2010

SCHEDULE 1 *(introduced by section 51(1))*

MINOR AND CONSEQUENTIAL AMENDMENTS: PART 1

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

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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;”.

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

SCHEDULE 3

(introduced by section 51(3))

TRANSITIONAL PROVISION AND SAVINGS

Local Government Act 2000 (c. 22)

- 1 The amendments made to section 2 of the Local Government Act 2000 by paragraph 2 of Schedule 2 to this Measure have effect subject to paragraph 2 below.

Commencement Information

I7 Sch. 3 para. 1 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

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- 2 The amendments do not apply to a local authority until the authority has published a community strategy under section 39(4) of this Measure.

Commencement Information

I8 Sch. 3 para. 2 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

Planning and Compulsory Purchase Act 2004 (c. 5)

- 3 The amendments made to section 62 of the Planning and Compulsory Purchase Act 2004 by paragraphs 4 to 6 of Schedule 2 to this Measure have effect subject to the following provisions.

Commencement Information

I9 Sch. 3 para. 3 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

- 4 In relation to a local planning authority which is a county council or a county borough council, the amendments do not apply until the authority has published a community strategy under section 39(4) of this Measure.

Commencement Information

I10 Sch. 3 para. 4 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

- 5 While the amendments do not apply by virtue of paragraph 4, section 62 of the Planning and Compulsory Purchase Act 2004 has effect as if the following were inserted at the end of subsection (7)— “ at the date on which paragraphs 4 to 6 of Schedule 2 to the Local Government (Wales) Measure 2009 came into force. ”

Commencement Information

I11 Sch. 3 para. 5 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

- 6 In relation to a local planning authority which is a National Park authority, the amendments do not apply until each county council or county borough council whose area comprises any part of the area of the National Park authority has published a community strategy under section 39(4) of this Measure.

Commencement Information

I12 Sch. 3 para. 6 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

- 7 While the amendments do not apply by virtue of paragraph 6, section 62 of the Planning and Compulsory Purchase Act 2004 has effect as if for paragraph (e) of subsection (5) there were substituted—

“(e) the community strategy prepared under section 4 of the Local Government Act 2000 (at the date on which paragraphs 4 to 6 of Schedule 2 to the Local Government (Wales) Measure 2009 came into force) by any other authority whose area comprises any part of

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the area of the local planning authority or, where such an authority has published a community strategy under section 39(4) of the Local Government (Wales) Measure 2009, that strategy;”.

Commencement Information

I13 Sch. 3 para. 7 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

Community Strategies produced under section 4 of the Local Government Act 2000

- 8 In relation to a county council or county borough council, section 4 of this Measure has effect as described in paragraph 9 until the council has published a community strategy under section 39(4) of this Measure.

Commencement Information

I14 Sch. 3 para. 8 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

- 9 or paragraph (a) of subsection (3) there is substituted— “ in the case of a county council or county borough council, any objectives contained in the council’s community strategy under section 4 of the Local Government Act 2000 at the date on which this section came into force; ”.

Commencement Information

I15 Sch. 3 para. 9 in force at 1.1.2010 by S.I. 2009/3272, art. 2, Sch. 1

SCHEDULE 4

(introduced by section 52)

REPEALS

Commencement Information

I16 Sch. 4 in force at 1.1.2010 for specified purposes by S.I. 2009/3272, art. 2, Sch. 1

<i>Short title and chapter</i>	<i>Extent of repeal</i>
Audit Commission Act 1998 (c. 18)	In section 47A, subsection (5)(a).
Local Government Act 1999 (c. 27)	In section 1, subsections (1)(k), (6) and (7). In section 2, subsection (5A). Section 2A. In section 3A, subsection (3)(b). Sections 4, 6, 7, 8A, 8B and 9. In section 10, subsection (5)(a). In section 10A, subsections (1)(a) and (4)(a). In section 13A, subsection (5). In section 15, subsection (2)(aa). In section 16, subsection (6)(b).

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	Sections 17A and 17B. In section 23(4)(za), the words “Welsh best value authorities or”.
	In section 25(2), paragraph (d).
	In section 28(2), “6, 7”.
	In section 29(1A), “3, 10A, 12A, 13A, 15,” and “23, 25 and 26”.
Local Government Act 2000 (c. 22)	In section 4, subsection (5).

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