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## EXPLANATORY NOTE

*(This note is not part of the Order)*

Schedule 1 to this Order makes amendments consequential to the provisions of Chapter 1 of Part 1 of the Localism Act 2011. Section 1 of the Localism Act 2011 provides local authorities in England with a general power of competence (“the general power”). This will replace the power to promote well-being (section 2 of the Local Government Act 2000) (“the well-being power”) for those authorities. Section 2 of the Local Government Act 2000 is amended by Schedule 1 to the Localism Act 2011 so as to apply only to Welsh local authorities.

The Order amends various references in Acts and statutory instruments to the wellbeing power to refer to the general power of competence.

Schedule 2 to this Order makes amendments consequential to the provisions of section 232 of the Localism Act 2011, which amends Parts II and III of the Land Compensation Act 1961.

Section 232(2) amends the provisions relating to taking account of planning permission when assessing compensation by replacing sections 14, 15 and 16 of the Land Compensation Act 1961 with new sections 14 and 15. The amendments contained in paragraphs 1 and 3 of Schedule 2 amend the relevant Acts to reflect the absence of section 16.

Section 232(3) amends the provisions relating to certificates of appropriate alternative development by replacing sections 17 and 18 of the Land Compensation Act 1961 with new sections 17 and 18. The new provisions do not require the local planning authority to specify class or classes of development. The amendments contained in paragraph 2 of Schedule 2 amend the Local Government Act 1972 to reflect this.

Schedule 3 to this Order makes an amendment consequential to the provisions of Chapter 3 of Part 6 of the Localism Act 2011: neighbourhood planning in England. The Order amends Schedule 8 to the Planning and Compulsory Purchase Act 2004, which makes transitional provision in relation to old plans and policies. The amendments insert reference to neighbourhood development plans into the list of policies which are considered to be a new policy.

A full impact assessment has not been produced for this Order as no impact on the private or voluntary sectors is foreseen.