

Status: This version of this provision is prospective.

*Changes to legislation: There are currently no known outstanding effects for the
Historic Environment (Wales) Act 2023, Paragraph 1. (See end of Document for details)*

PROSPECTIVE

SCHEDULE 9

ACTION FOLLOWING SERVICE OF PURCHASE NOTICE

Response to purchase notice by planning authority

- 1 (1) Where a person has served a purchase notice on a planning authority, the authority must serve an acceptance notice or rejection notice on the person.
- (2) An acceptance notice is a notice stating either—
- (a) that the planning authority is willing to comply with the purchase notice, or
 - (b) that another local authority or statutory undertaker specified in the acceptance notice has agreed to comply with the purchase notice.
- (3) A rejection notice is a notice stating—
- (a) that for reasons specified in the notice, the planning authority is not willing to comply with the purchase notice and has not found any other local authority or statutory undertaker willing to comply with it, and
 - (b) that the planning authority has sent copies of the purchase notice and rejection notice to the Welsh Ministers.
- (4) An acceptance notice or rejection notice must be served before the end of 3 months beginning with the day the purchase notice was served.
- (5) Where the planning authority serves an acceptance notice on a person, that authority or (in the case of a notice falling within sub-paragraph (2)(b)) the other local authority or statutory undertaker specified in the notice is to be treated—
- (a) as being authorised under section 137 to acquire the person’s interest compulsorily, and
 - (b) as having served a notice to treat in respect of that interest on the day the acceptance notice is served.
- (6) Before serving a rejection notice on a person, the planning authority must send the Welsh Ministers—
- (a) a copy of the rejection notice, and
 - (b) a copy of the purchase notice.
- (7) A notice to treat which is treated as having been served by virtue of sub-paragraph (5) (b) may not be withdrawn under section 31 of the [Land Compensation Act 1961](#) (c. 33).

Commencement Information

- II** Sch. 9 para. 1 not in force at Royal Assent, see [s. 212\(2\)](#)

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