



Infrastructure (Wales) Act 2024

2024 asc 3

PART 6

INFRASTRUCTURE CONSENT ORDERS

Making changes to, and revoking, infrastructure consent orders

90 Power to change or revoke infrastructure consent orders

- (1) The Welsh Ministers may by order make a change to, or revoke, an infrastructure consent order.
- (2) The provision that may be made by way of a change to an infrastructure consent order includes provision that may be made under section 63, subject to this section.
- (3) The power conferred by subsection (1) may be exercised on an application made by—
 - (a) the applicant or a successor in title of the applicant;
 - (b) a person with an interest in the land;
 - (c) any other person for whose benefit the infrastructure consent order has effect.
- (4) The power to revoke an infrastructure consent order conferred by subsection (1) may be exercised on an application made by a planning authority if the Welsh Ministers are satisfied that—
 - (a) the infrastructure consent order grants infrastructure consent for development on land all or part of which is in the planning authority's area,
 - (b) the development has begun but has been abandoned, and
 - (c) the amenity of other land in the planning authority's area or an adjoining area is adversely affected by the condition of the land.
- (5) The Welsh Ministers may refuse to exercise the power on an application made under subsection (3) or (4) if, in particular, the Welsh Ministers consider that the development that would be authorised as a result of the change should properly be the subject of an application under section 32 for infrastructure consent.

Status: This is the original version (as it was originally enacted). This item of legislation is currently only available in its original format.

- (6) The power conferred by subsection (1) may be exercised by the Welsh Ministers without an application being made under subsection (3) or (4).
- (7) The power conferred by subsection (1) includes power to—
- (a) require the removal or alteration of building works;
 - (b) require the discontinuance of a use of land;
 - (c) impose specified requirements in connection with the continuance of a use of land;
 - (d) impose new requirements in connection with the development for which consent is granted by the infrastructure consent order;
 - (e) remove or vary existing requirements;
 - (f) make new provision relating to, or to matters ancillary to, the development for which consent is granted;
 - (g) remove or vary existing provision of that kind.
- (8) Subject to subsection (7)(a), the exercise of the power does not affect any building or other operations carried out in pursuance of the infrastructure consent order before the power is exercised.
- (9) The power conferred by subsection (1) may not be exercised in relation to provision included in an infrastructure consent order by virtue of paragraph 24 or 25 of Schedule 1 (deemed marine licence under Marine and Coastal Access Act 2009 (c. 23)).