



Infrastructure (Wales) Act 2024

2024 asc 3

PART 6

INFRASTRUCTURE CONSENT ORDERS

Effect of infrastructure consent orders

99 Blighted land

(1) TCPA 1990 is amended as follows.

(2) In Schedule 13 (blighted land)—

(a) after paragraph 24 insert—

“24ZA Land falls within this paragraph if—

- (a) the compulsory acquisition of the land is authorised by an infrastructure consent order, or
- (b) the land falls within the limits of deviation within which powers of compulsory acquisition conferred by an infrastructure consent order are exercisable, or
- (c) an application for infrastructure consent seeks authority to compulsorily acquire the land.”;

(b) after paragraph 25 insert—

“Land identified in infrastructure policy statements

26 (1) Land falls within this paragraph if the land is in a location identified in an infrastructure policy statement as suitable (or potentially suitable) for a specified kind of development.

(2) Land ceases to fall within this paragraph when the infrastructure policy statement—

- (a) ceases to have effect, or

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- (b) ceases to identify the land as suitable or potentially suitable for that kind of development.”
- (3) In section 150(1)(b) (notices requiring purchase of blighted land)—
 - (a) for “or paragraph 24 ” substitute “, paragraph 24 or paragraph 24ZA”;
 - (b) after “within paragraph 24(c)” insert “or 24ZA(c)”.
- (4) In section 151 (counter-notices objecting to blight notices) after subsection (7A) insert—

“(7B) The grounds on which objection may be made in a counter-notice to a blight notice served by virtue of paragraph 26 of Schedule 13 do not include those mentioned in subsection (4)(b).”
- (5) After section 165A (power of Secretary of State to acquire land identified in national policy statements where blight notice served) insert—

““165B Power of Welsh Ministers to acquire land identified in infrastructure policy statements where blight notice served

Where a blight notice has been served in respect of land falling within paragraph 26 of Schedule 13, the Welsh Ministers have power to acquire compulsorily any interest in the land in pursuance of the blight notice served by virtue of that paragraph.”

- (6) In section 169 (meaning of “the appropriate authority” for purposes of Chapter 2 of Part 6)—
 - (a) after subsection (7) insert—

“(7A) In relation to land falling within paragraph 26 of Schedule 13, “the appropriate authority” is—

 - (a) if the infrastructure policy statement identifies a statutory undertaker as an appropriate person to carry out the specified description of development in the location, the statutory undertaker;
 - (b) in any other case, the Welsh Ministers.

(7B) If any question arises by virtue of subsection (7A)—

 - (a) whether the appropriate authority in relation to any land for the purposes of this Chapter is the Welsh Ministers or a statutory undertaker; or
 - (b) which of two or more statutory undertakers is the appropriate authority in relation to any land for those purposes, that question must be referred to the Welsh Ministers, whose decision is final.”;
 - (b) in subsection (8), for “and (7)” substitute “, (7), (7A) and (7B)”.
- (7) In section 170 (“appropriate enactment” for purposes of Chapter 2) after subsection (8C) insert—

“(8D) In relation to land falling within paragraph 24ZA(a) or (b) of that Schedule, “the appropriate enactment” is the infrastructure consent order.

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- (8E) In relation to land falling within paragraph 24ZA(c) of that Schedule, “the appropriate enactment” is an infrastructure consent order in the terms of the order applied for.
- (8F) In relation to land falling within paragraph 26 of that Schedule, “the appropriate enactment is section 165B.”
- (8) In section 171(1) (general interpretation of Chapter 2 of Part 6) at the appropriate place insert—
- ““infrastructure policy statement has the meaning given by section 127(2) of the Infrastructure (Wales) Act 2024;”.