



Welsh Development Agency Act 1975

1975 CHAPTER 70

^{F1} _{F2}^{F3} Powers of land acquisition. 21A

- (1) The powers to acquire land mentioned in sections 1(7)(h) and 16(3)(b) above are powers—
 - (a) to acquire land by agreement;
 - (b) in relation to land in Wales, to acquire land compulsorily; and
 - (c) in relation to land in England, to acquire land compulsorily if authorised to do so by the Secretary of State.
- (2) Where the Assembly acquires or has acquired land under subsection (1) above, it has power—
 - (a) to acquire by agreement,
 - (b) in relation to land in Wales, to acquire compulsorily, and
 - (c) in relation to land in England, if authorised to do so by the Secretary of State, to acquire compulsorily,the land described in subsection (2A) below.
- (2A) The land is—
 - (a) any land which adjoins the land which the Assembly acquires or has acquired under subsection (1) and which is required for the purpose of executing works for facilitating its development or use; and
 - (b) where the land which the Assembly acquires or has acquired under subsection (1) forms part of a common, an open space or a fuel or field garden allotment, any land required for the purpose of being given in exchange for it.
- (3) The Assembly may under subsection (1) above acquire rights over land by the creation of new rights (as well as by acquiring rights already in existence).
- (4) Before the Assembly acquires land under subsection (1) for the purpose of its function under section 1(3)(da) above, it shall—
 - (a) consider whether the land would or would not in its opinion be made available for development if it did not act;

Changes to legislation: There are currently no known outstanding effects for the Welsh Development Agency Act 1975, Section 21A. (See end of Document for details)

- (b) consider the fact that planning permission has or has not been granted in respect of the land or is likely or unlikely to be granted;
 - (c) (in the case where no planning permission has been granted in respect of the land) consult every relevant local authority; and
 - (d) consider the needs of those engaged in building, agriculture and forestry and of the community in general.
- (5) For the purposes of subsection (4)(c) above, each of the following is a relevant local authority—
- (a) the council of any county, county borough or district in whose area the land, or any part of the land, is situated;
 - (b) any joint planning board in whose district the land, or any part of the land, is situated; ^{F4} ...
 - (c) any National Park authority which is the local planning authority for a National Park in which the land, or any part of the land, is situated ^{F5}; and
 - (d) any [^{F6}corporate joint committee in whose] area the land, or any part of the land, is situated.]
- (6) Where the Assembly has acquired land under subsection (1) above for the purpose of any of its functions under this Act it may appropriate it to the purpose of any of its other functions under this Act.
- (7) Where the Assembly has—
- (a) acquired land under subsection (1) above for the purposes of its function under section 1(3)(da) above; or
 - (b) under subsection (6) above has appropriated land to that purpose,
- it shall, until it either disposes of the land or appropriates the land under subsection (6) above to the purpose of any of its other functions under this Act, manage the land and turn it to account.
- (8) Schedule 4 to this Act shall have effect.]]]

Textual Amendments

- F1** S. 18 was amended by [Industry Act 1979 \(c. 32, SIF 64\)](#), [s. 1\(1\)\(4\)–\(6\)](#) and has effect by s. 1(7) of the 1979 Act as set out in the Schedule to that Act
- F2** S. 21A inserted (1.10.1998) by [1998 c. 38, s. 127](#), [Sch. 13 para. 2](#) (with ss. 139(2), 143(2)); [S.I. 1998/2244, art. 4](#)
- F3** S. 21A substituted (1.4.2006) by [The Welsh Development Agency \(Transfer of Functions to the National Assembly for Wales and Abolition\) Order 2005 \(S.I. 2005/3226\)](#), arts. 1(1)(2), 7(1), [Sch. 1 para. 22](#) (with art. 3(1))
- F4** Word in s. 21A(5)(b) omitted (6.9.2015 for specified purposes, 7.1.2021 in so far as not already in force) by virtue of [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), [Sch. 2 para. 2\(a\)](#); [S.I. 2021/7, reg. 2\(c\)](#)
- F5** S. 21A(5)(d) and word inserted (6.9.2015 for specified purposes, 7.1.2021 in so far as not already in force) by [Planning \(Wales\) Act 2015 \(anaw 4\)](#), s. 58(2)(b)(4)(b), [Sch. 2 para. 2\(b\)](#); [S.I. 2021/7, reg. 2\(c\)](#)
- F6** Words in s. 21A(5)(d) substituted (E.W.) (21.1.2021) by [Local Government and Elections \(Wales\) Act 2021 \(asc 1\)](#), s. 175(1)(e), [Sch. 9 para. 16](#)

Changes to legislation:

There are currently no known outstanding effects for the Welsh Development Agency Act 1975, Section 21A.