
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Infrastructure Planning (Compulsory Acquisition) Regulations 2010 (“the 2010 Regulations”) (S.I. 2010/104) and come into force on 23rd February 2017. The amendments made by regulation 2(2) and (4) apply only in relation to an order granting development consent which is made on or after that date.

Regulation 2(2) substitutes a new regulation 3 into the 2010 Regulations. New regulation 3 provides that:

- for the purposes of section 134(7) of the Planning Act 2008 (c. 29), the prescribed form of a compulsory acquisition notice is Form A in Schedule 1 to the 2010 Regulations (as inserted by regulation 2(4) of, and the Schedule to, these Regulations);
- for the purposes of section 134(7)(cza)(i) of the Planning Act 2008, the prescribed statement about the effect of Parts 2 and 3 of the Compulsory Purchase (Vesting Declarations) Act 1981 (c. 66) is set out in Part 1 of Form B in Schedule 1 to the 2010 Regulations (as inserted by regulation 2(4) of, and the Schedule to, these Regulations); and
- for the purposes of section 134(7)(cza)(ii), the prescribed form for giving information to the prospective purchaser is Part 2 of Form B in Schedule 1 to the 2010 Regulations (as inserted by regulation 2(4) of, and the Schedule to, these Regulations).

Regulation 2(3) inserts a new regulation 3A into the 2010 Regulations. It requires the Secretary of State to review the operation and effect of regulation 3 (and the associated forms) in the 2010 Regulations and to publish a report before 23rd February 2022 and within every five years after that. Following a review it will fall to the Secretary of State to consider whether regulation 3 should remain as it is, or be revoked or be amended. A further instrument would be needed to revoke or to amend it.

Regulation 2(4) substitutes a new version of Schedule 1 into the 2010 Regulations. The new Schedule 1 is contained in the Schedule to these Regulations and contains Forms A and B.

An impact assessment has not been produced for this instrument as no impact on the private or voluntary sectors is foreseen.