



Welsh Government  
Consultation Document

# Reforms to Compulsory Purchase Powers and Procedures

*Proposals to amend:*

- (a) primary legislation to modernise the compulsory purchase statutory enabling powers and procedures*
- (b) secondary legislation to streamline the compulsory purchase inquiry and written representations procedures*

Date of issue: 13 October 2020

Action required: Responses by 19 January 2021

Mae'r ddogfen yma hefyd ar gael yn Gymraeg.  
This document is also available in Welsh.

**Overview**

This consultation seeks your views on reforms to:

- modernise statutory compulsory purchase powers and procedures underpinned by primary legislation, and
- implement technical process improvements to streamline the compulsory purchase public inquiries and written representations procedures.

**How to respond**

The closing date for the consultation is 19 January 2021.

You can reply in any of the following ways:

**E-mail:**

Please complete the consultation response form and send it to: [planconsultations-d@gov.wales](mailto:planconsultations-d@gov.wales)

Please include 'Reforms to Compulsory Purchase Powers and Procedures– WG41247' in the subject line.

**Post:**

Please complete the consultation response form and send it to:

Compulsory Purchase Consultation  
Decisions Branch  
Planning Directorate  
Welsh Government  
Cathays Park  
Cardiff  
CF10 3NQ

**Further information and related documents**

**Large print, Braille and alternative language versions of this document are available on request.**

Planning Policy Wales (Edition 10)  
<https://gov.wales/sites/default/files/publications/2019-02/planning-policy-wales-edition-10.pdf>

Circular 003/2019: Compulsory Purchase in Wales and 'The Crichef Down Rules (Wales Version, 2019)'  
<https://gov.wales/planning-policy-and-guidance-for-professionals>

**Contact details**

For further information on this consultation, please contact:

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03000 259340

**Also available in Welsh at:**

<https://llyw.cymru/ymgyngoriadau>

## General Data Protection Regulation (GDPR)

The Welsh Government will be data controller for any personal data you provide as part of your response to the consultation. Welsh Ministers have statutory powers they will rely on to process this personal data which will enable them to make informed decisions about how they exercise their public functions. Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about or planning future consultations. Where the Welsh Government undertakes further analysis of consultation responses then this work may be commissioned to be carried out by an accredited third party (e.g. a research organisation or a consultancy company). Any such work will only be undertaken under contract. Welsh Government's standard terms and conditions for such contracts set out strict requirements for the processing and safekeeping of personal data.

In order to show that the consultation was carried out properly, the Welsh Government intends to publish a summary of the responses to this document. We may also publish responses in full. Normally, the name and address (or part of the address) of the person or organisation who sent the response are published with the response. If you do not want your name or address published, please tell us this in writing when you send your response. We will then redact them before publishing.

You should also be aware of our responsibilities under Freedom of Information legislation

If your details are published as part of the consultation response then these published reports will be retained indefinitely. Any of your data held otherwise by Welsh Government will be kept for no more than three years.

### Your rights

Under the data protection legislation, you have the right:

- to be informed of the personal data held about you and to access it
- to require us to rectify inaccuracies in that data
- to (in certain circumstances) object to or restrict processing
- for (in certain circumstances) your data to be 'erased'
- to (in certain circumstances) data portability
- to lodge a complaint with the Information Commissioner's Office (ICO) who is our independent regulator for data protection.

For further details about the information the Welsh Government holds and its use, or if you want to exercise your rights under the GDPR, please see contact details below:

Data Protection Officer:  
Welsh Government  
Cathays Park  
CARDIFF  
CF10 3NQ

The contact details for the Information Commissioner's Office are:

Wycliffe House  
Water Lane  
Wilmslow  
Cheshire  
SK9 5AF

Tel: 01625 545 745 or  
0303 123 1113

Website: <https://ico.org.uk/>

e-mail:

[Data.ProtectionOfficer@gov.wales](mailto:Data.ProtectionOfficer@gov.wales)

## **Purpose of the consultation**

1. The Welsh Government believes compulsory purchase powers are an important tool for local authorities and other public bodies as a means of assembling the land they need to help deliver environmental, social and economic change. Used properly, they can contribute towards effective and efficient regeneration, the revitalisation of communities, placemaking and the promotion of business which can all lead to improvements in quality of life.
2. The existing legislative framework for compulsory purchase is complex and the Welsh Government is committed to improving the compulsory purchase process to make it fairer, more efficient and intelligible.
3. Between October 2019 and January 2020 the Welsh Government consulted on a revised national planning policy on the use of compulsory purchase powers and updated Circular guidance:  
<https://gov.wales/compulsory-purchase-orders-cpos-updated-policy-and-guidance>.

A summary of the 'Updated Policy and Guidance on Compulsory Purchase in Wales' (2019/20) consultation responses is available here:

[https://gov.wales/sites/default/files/consultations/2020-04/compusory-purchase-order-summary-of-responses\\_0.pdf](https://gov.wales/sites/default/files/consultations/2020-04/compusory-purchase-order-summary-of-responses_0.pdf)

The consultation also included a 'call for evidence' which sought views on:

- case studies of the successful use of compulsory purchase powers to deliver housing-led regeneration schemes; and
  - where changes could be potentially made to the compulsory purchase system to improve the delivery of housing-led compulsory acquisition schemes.
4. The purpose of this consultation is to seek views on further reforms to:
    - (a) modernise the following stages of the compulsory purchase process:
      - preparation of a compulsory purchase order (CPO), and
      - decision making; and
    - (b) streamline the compulsory purchase public inquiries and written representations procedures in Wales through making technical improvements.

## **What are the main issues?**

5. The Welsh Government has recently introduced a number of changes to improve the compulsory purchase process in Wales through publishing revised national planning policy on the use of compulsory purchase powers and updated Circular guidance. The Welsh Government is also in the process of developing a CPO Manual to be published later this year which will contain detailed, technical step-by-step guidance and best practice on navigating and managing the CPO process.
6. There is, however, capacity for further reforms to the compulsory purchase process as stakeholders consider it remains, in part, convoluted and complex which can act as a barrier to the use of compulsory purchase powers. For example, they suggest participation in the process could be better facilitated, the confirmation process could be more efficient, and the timescales for a decision remain unclear.

### **What is the current position?**

7. Underpinning the acquisition of land or rights via the use of compulsory purchase powers are the procedures outlined in the:
  - (a) Compulsory Purchase Act 1965;
  - (b) Acquisition of Land Act 1981;
  - (c) Compulsory Purchase of Land (Written Representations Procedure) (National Assembly for Wales) Regulations 2004; and
  - (d) Compulsory Purchase (Inquiries Procedure) (Wales) Rules 2010.
8. The [‘Updated Policy and Guidance on Compulsory Purchase in Wales’](#) (2019/20) consultation included a ‘call for evidence’ which sought views on how the compulsory purchase process could be changed to improve the acquisition of land for housing purposes.

### *Issues identified*

9. A range of suggestions for further reforms to the compulsory purchase process were put forward by stakeholders through our [‘call for evidence’](#). Key issues raised included:
  - Introduce statutory timescales for CPO decisions to bring more certainty for local authorities and to enable funding deadlines to be linked to statutory decision-making timescales.
  - Modernise the procedure for the posting of site notices where the name or address of a land interest is unknown.
  - Modernise the notice and publicity requirements under the 1981 Act to allow the depositing of CPO documents for inspection purposes electronically and permit notices to be served by electronic communication.
  - Enable inspectors to make decisions on how objections to a CPO should be considered.
  - Delegate more confirmations decisions back to local authorities.
  - Extend the provision allowing CPOs involving statutory undertakers’ land to be confirmed by the appropriate Minister acting jointly with the confirming Minister.
10. The Welsh Government has considered these and other suggestions from the sector and developed this further package of reforms.

### *Changes since the ‘call for evidence’*

11. Shortly after the end of the [‘call for evidence’](#), we launched the Transforming Towns programme in January 2020 with a £90 million budget to support measures for our towns. This included a Town Centre First approach being adopted to encourage public sector bodies to locate services in town centres, expertise and funding to tackle empty buildings and land to help bring them back into use, and greening our town centre environments. The Transforming Towns programme is designed to refocus the purpose of our towns and look at how we can expand their offer to the communities and wider public.

12. We've also launched the Placemaking Wales initiative and through this work we've developed a placemaking charter. The Placemaking Wales Charter contains a number of placemaking principles which local authorities can sign-up to and agree to adopt in their day-to-day work or promote in the delivery of their responsibilities.
13. Since we undertook the ['call for evidence'](#) Wales has also been affected by a global pandemic caused by the Novel Coronavirus (Covid-19). The pandemic has impacted most on those in our communities who have least, exacerbating social, economic and environmental inequalities. The approach going forward is to focus on addressing those longstanding inequalities by taking a values based approach to recovery which promotes social, economic and environmental justice.
14. The planning system is central to shaping a better future for Wales and it is essential all levels of government ensure plans, policies and procedures improve the well-being of our communities and the resilience of our environment.
15. In the immediate post Covid-19 phase there are particular areas of policy which will be the focus of consideration and action to act as a catalyst for a recovery across the pillars of sustainable development. [Building Better Places: The Planning System Delivering Resilient and Brighter Futures – Placemaking and the Covid-19 Recovery \(July 2020\)](#) identifies 8 key issues which bring together individual policy areas to ensure action is most effective. Of the 8 key issues for policy action, the following 3 issues have been identified where the use of compulsory purchase powers can provide a useful policy implementation tool<sup>1</sup>:
  - (i) Staying local: creating neighbourhoods;
  - (ii) Revitalising our town centres;
  - (iii) Active travel: exercise and rediscovered transport methods.
16. To support local authorities and communities recover from the impacts of Covid-19 and respond to the identified key issues for policy action, a priority of the Welsh Government is to implement at pace reforms to streamline and modernise the compulsory purchase process in Wales.

## Why are we proposing change?

### Proposals

17. The [Independent Affordable Housing Supply Review](#) in April 2019 recommended the CPO process be streamlined to improve the acquisition of land for housing purposes. Likewise, the [Senedd Cymru's Equality, Local Government and Communities Committee's inquiry](#) into empty properties (October 2019) recommended the Welsh Government undertake a review of statutory enforcement powers available to local authorities (which included CPO making powers) to tackle empty properties and assess how these could be used more effectively, consolidated, simplified or extended.
18. In 2019/20 we undertook a ['call for evidence'](#) to seek views on where changes could be made to the compulsory purchase process to improve the acquisition of land for housing purposes.

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<sup>1</sup> Part 2 of Welsh Government *Circular 003/2019: Compulsory Purchase in Wales and 'The Crichef Down Rules (Wales Version, 2019)'* provides guidance on use of compulsory purchase powers to address these key issues for policy action.

## Summary

19. To remove barriers to, and encourage greater use of, compulsory purchase powers by local authorities, a Welsh Government priority is to streamline and modernise the compulsory purchase process. This consultation sets out how this will be achieved.
20. This consultation outlines our proposals to improve the use of compulsory purchase powers as a ‘placemaking in action’ tool to bring forward land for housing and help support recovery in the immediate post Covid-19 phase by making the compulsory purchase process fairer, more efficient and intelligible.
21. To achieve this, our proposals focus on modernising the preparation and confirmation stages of the CPO process, without compromising the ability of parties to engage properly and to make their views known, or compromising the quality of decisions. They also focus on implementing technical process improvements to streamline the compulsory purchase public inquiries and written representations procedures.
22. This consultation is split into two parts:
  - (i). Part 1 sets out a number of proposed reforms to statutory compulsory purchase powers and procedures underpinned by primary legislation i.e.
    - the Acquisition of Land Act 1981, and
    - enabling compulsory purchase powers contained in Acts such as the Housing Act 1985 and the Town and Country Planning Act 1990.
  - (ii). Part 2 outlines proposals for technical process improvements relating to the compulsory purchase public inquiries and written representations procedures set out in secondary legislation i.e.
    - the Compulsory Purchase of Land (Written Representations Procedure) (National Assembly for Wales) Regulations 2004; and
    - the Compulsory Purchase (Inquiries Procedure) (Wales) Rules 2010.

## What specific changes are we proposing?

### Part 1 - Primary legislation: Compulsory purchase procedures and enabling powers

#### *Publicising the making of a compulsory purchase order*

##### (a) Site Notices

23. [Section 11](#) of, and [paragraph 2 of Schedule 1](#) to, the Acquisition of Land Act 1981 (“the 1981 Act”) outlines the requirements for acquiring authorities to publicise the making of a CPO through the publication of a notice in a local newspaper and the erection of site notices. The purpose is to alert people to the CPO who may wish to submit an objection. [Section 11\(3\) and \(4\)](#) of, and [paragraph 2 of Schedule 1](#) to, the 1981 Act provide the procedure for the erection of site notices. Both [section 11\(4\)](#) and [paragraph 2 of Schedule 1](#) require site notices must be addressed to persons occupying or having an interest in the land.

24. Although acquiring authorities have a statutory power under [section 5A of the 1981 Act](#) to requisition information about interests in land the subject of a CPO, it is not always possible to obtain full details of interests through this mechanism and landowners can remain unknown or untraceable. This is can:
  - (a) create a barrier to meeting the requirements for erecting site notices under [section 11\(4\)](#) of, or [paragraph 2 of Schedule 1](#) to, the 1981 Act, and
  - (b) cause a delay in the submission of CPOs, and ultimately, the scheme underlying the CPO.
  
25. To remove this barrier and the delay it can cause, we propose to amend the 1981 Act to allow site notices to be addressed in the description of “owner” or “occupier” of the land where the name of a person occupying or having an interest in land cannot, after reasonable inquiry, be ascertained by the acquiring authority.
  - (b) Deposit of the compulsory purchase order documentation and maps
  
26. There are requirements under [section 11\(2\)](#) of, and [paragraph 2 of Schedule 1](#) to, the 1981 Act for newspaper adverts and site notices to be published to provide details of a place where copies of CPOs and associated maps can be inspected, both prior to submission of the CPO to the Welsh Ministers and when it is confirmed. There are also similar provisions in secondary legislation requiring inspection of documents, and in some cases, for documents to be provided on request. Likewise, where a certificate is given under either [sections 16](#) or [19](#) of, or [paragraph 3 or 6 of Schedule 3](#) to, the 1981 Act, the acquiring authority must also publish a notice in the prescribed form in a newspaper stating the certificate has been giving and naming the place where the map showing the relevant land may be inspected.
  
27. The Welsh Government’s Circular 003/2019: Compulsory Purchase in Wales and ‘The Crichef Down Rules (Wales Version, 2019)’ outlines a certified copy of the CPO and associated map should be deposited for inspection at an appropriate place within the locality of the CPO land. For example, a local authority’s office, which traditionally opens on a 9am – 5pm, Monday – Friday excluding Bank Holidays basis. This scenario has the potential to exclude those persons living in the area from accessing the CPO documentation whose working hours are the same.
  
28. The way people access information has changed since the 1981 Act came into force and there is an increased reliance on the internet as the main source of information. The Covid-19 pandemic has accelerated this shift in practice.
  
29. To modernise and increase engagement in the compulsory purchase process, along with improving accessibility to and raise awareness of CPOs we propose to amend the 1981 Act to allow the depositing of CPO documents (including associated maps) for inspection both at physical locations and in electronic format, for example, on an acquiring authority’s website. Sequential amendments will also need to be made to the Schedule to the Compulsory Purchase of Land (Prescribed Forms) (National Assembly for Wales) Regulations 2004.

(c) Newspapers

30. The 1981 Act requires acquiring authorities to publish notices in local newspapers circulating in the locality in which CPO land is situated under the following circumstances:
- section 11(1) or paragraph 2 of Schedule 1 – publicising the making/preparation of a CPO;
  - section 15(3) or paragraph 6 of Schedule 1 – publicising the confirmation/making of a CPO;
  - section 22 or paragraph 9 of Schedule 3 – publicising the giving of a certificate under Part 3/Schedule 3.
31. To modernise and increase engagement in the compulsory purchase process, along with improving accessibility to and raise awareness of CPOs, we propose to amend the 1981 Act to require the notices outlined in paragraph 30 above to be published concurrently in physical and digital (where one exists) copies of a local newspaper circulating in the locality in which CPO land is situated.

*Service of notices and documents*

32. [Section 6 of the 1981 Act](#) requires any notice or other document required or authorised to be served under that Act to be served on any person either by delivering it to them, or by leaving it at their proper address, or by sending it via recorded delivery service.
33. To reflect current working practices, in particular those practices adopted during the Covid-19 pandemic where recorded delivery services were affected and notices were served via e-mail, we propose to amend the 1981 Act to allow notices and documents to be served via electronic communication where a person have indicated a willingness to receive notices and documents in this form on a permanent basis. This will be in addition to the other service delivery methods already outlined in the Act. We also propose where a person is no longer willing to accept the use of electronic communications for receiving notices and documents served under the 1981 Act the person will be required to give notice in writing. This proposed change will assist both the streamlining and modernisation of the compulsory purchase process.

*Consideration of remaining objections by public inquiry*

34. The consideration of the rights of an individual underpins the entire compulsory purchase process. When making a CPO, acquiring authorities should be sure the purposes for which the CPO is being made sufficiently justifies interfering with the human rights of those with an interest in the land affected. It has been established compulsory purchase will not breach human rights where it:
- is authorised by law;
  - is proportionate;
  - can be demonstrated to be in the public interest; and

- landowners and others with an interest in the land are appropriately compensated.
35. [Section 13A\(2\)](#) of, or [paragraph 4A\(2\) of Schedule 1](#) to, the 1981 Act provides the Welsh Ministers may, when deciding whether or not to confirm a CPO, consider the objections to the CPO via the written representations procedure providing every person who has made a remaining objection consents in the prescribed manner. However, due to the scale and nature of some CPOs, the Welsh Ministers may consider the use of the written representations procedure inappropriate and in such circumstances will give notice of their intention to either hold a public inquiry or a hearing to consider objections to the CPO<sup>2</sup>.
36. An efficient confirmation process will make certain every CPO is considered in the most appropriate, proportionate method while ensuring quality of reporting to provide robust decision-making. This can reduce the time taken to complete the confirmation process and help lower the costs of undertaking a CPO. Our proposals for the consideration of objections to a CPO will build on previous planning reforms<sup>3</sup> in adopting the principle of an inspector being best placed to determine the most appropriate method for the consideration of objections.
37. In the circumstances where the Welsh Ministers consider it inappropriate for objections to a CPO to be considered via the written representations procedure, for example, where a CPO involves a medium/large scale underlying scheme, we propose to amend the 1981 Act to allow such CPOs to be considered by one or any combination of the following procedures in accordance with a timetable set by the inspector:
- written representations,
  - a public hearing, and
  - a public inquiry.
38. Our proposal does not apply to those CPOs where the Welsh Ministers are of the view the written representation procedure may be appropriate and subsequently seek the permission of remaining objectors to use the procedure. I.e. the rights of remaining objectors to request their objections be heard either via a public inquiry or a hearing in accordance with the consenting process for the written representation procedure set out in secondary legislation will not be affected.

*Confirmation by acquiring authorities*

39. [Section 14A\(1\) of the 1981 Act](#) provides a discretionary power to the Welsh Ministers to delegate the confirmation decision on a CPO to the acquiring authority where the following conditions (established under [section 14A\(3\) of the 1981 Act](#)) have been met:
- there are no outstanding objections to the CPO;
  - all statutory requirements as to the service and publication of notices have been complied with; and

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<sup>2</sup> [Section 13A\(3\)](#) of, or [paragraph 4A\(2\) of Schedule 1](#) to, the Acquisition of Land Act 1981

<sup>3</sup> See the *Developments of National Significance (Wales) Regulations 2016* and the *Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017*

- the CPO is capable of being confirmed without modification.
40. The delegation power available to the Welsh Ministers under [section 14A\(1\) of the 1981 Act](#) is, however, currently excluded in CPOs where:
- (a) the land to be acquired includes:
- land acquired by a statutory undertaker for the purposes of its undertaking,
  - that statutory undertaker has made a representation to the Minister responsible for sponsoring its business ('responsible Minister') which is not withdrawn,
  - and that Minister is satisfied the land to be acquired is used for the purposes of the undertaking or an interest in any of the land is held for those purposes;
- or
- (b) the land to be acquired forms part of a common, open space, or fuel or field garden allotment,
- as confirmation of a CPO in these circumstances is reliant on other ministerial decisions.
41. In the circumstances outlined in paragraph 40(a), the CPO cannot be confirmed to authorise the purchase of the statutory undertaker's land unless the responsible Minister issues a certificate in accordance with [section 16\(2\) of the 1981 Act](#). Likewise, in the circumstances outlined in paragraph 40(b), the CPO cannot be confirmed to authorise the purchase of any land forming part of a common, open space or fuel or field garden allotment and will be subject to special Senedd procedure unless the Welsh Ministers issue a certificate in accordance with [section 19\(1\) of the 1981 Act](#).
42. To streamline the CPO decision-making process, we propose to amend [section 14A of the 1981 Act](#) to allow acquiring authorities to confirm their own CPOs in the circumstances outlined in:
- (a) paragraph 40(a) providing the responsible Minister has issued a certificate in accordance with [section 16\(2\) of the 1981 Act](#) and the conditions set out in paragraph 39 have been met; and
- (b) paragraph 40(b) providing the Welsh Ministers have issued a certificate in accordance with [section 19\(1\) of the 1981 Act](#) and the conditions set out in paragraph 39 have been met.

*Acquisition under certain Acts of statutory undertakers' land without a certificate*

43. Where a statutory undertaker's representation under [section 16\(1\)](#) of, or [paragraph 3\(1\) of Schedule 3](#) to, the 1981 Act is not withdrawn, the CPO to which it relates may not be confirmed as to include the interest owned by the statutory undertaker unless the appropriate Minister gives a certificate in the terms stated in [section 16\(2\)](#) of, or [paragraph 3\(2\) of Schedule 3](#) to, the 1981 Act. These are either that:
- the land can be taken without serious detriment to the carrying on of the undertaking; or
  - if taken it can be replaced by other land without serious detriment to the undertaking.

44. By virtue of [section 31\(2\) of the 1981 Act](#), however, a CPO may still be confirmed or made by the Welsh Ministers where:
- (a) a representation has been made by a statutory undertaker under [section 16\(1\) of](#), or [paragraph 3\(1\) of Schedule 3 to](#), the 1981 Act without an application for either a [section 16\(2\)](#) or [paragraph 3\(2\) of Schedule 3](#) 1981 Act certificate, or where such an application for a certificate is refused or is made after the expiration of the time within which objections to the CPO can be made, and
  - (b) the confirmation or making is undertaken jointly by the appropriate Minister and the confirming Welsh Minister providing the CPO was made under the following provisions<sup>4</sup>:
    - the Town and Country Planning Act 1990,
    - the Planning (Listed Building Planning (Listed Buildings and Conservation Areas) Act 1990,
    - [sections 142](#) or [143](#) of the Local Government, Planning and Land Act 1980, or
    - [section 21A of](#), and [Schedule 4 to](#), the Welsh Development Agency Act 1975.
45. To modernise the compulsory purchase procedure we propose to extend the provision in [section 31\(2\) of the 1981 Act](#) to CPOs made under the Local Government Act 1972 and Housing Act 1985. The justification for this approach is it is these types of CPOs i.e. regeneration and housing which will help:
- (a) the Welsh Government deliver its priority of enabling local authorities to acquire land and redundant buildings for the purposes of supplying increased social housing at pace, and
  - (b) local authorities and their communities to recover in the immediate post Covid-19 phase.

*Decision making: compulsory purchase orders made under the Local Government Act 1972, Housing Act 1985 Town and Country Planning Act 1990, Planning (Listed Building Planning (Listed Buildings and Conservation Areas) Act 1990*

46. When justifying the use of compulsory purchase powers acquiring authorities need to demonstrate how they will make funding available to meet any likely compensation claims.
47. Through our 2019/20 [‘call for evidence’](#) a number of local authorities outlined a barrier to the use of their compulsory purchase powers is the inability to link funding for a scheme underlying a CPO to a credible timeline associated with the use of compulsory powers. Also, the introduction of statutory timescales for decisions would bring more certainty to local authorities and encourage more interventionist approaches to be taken.

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<sup>4</sup> [Section 31\(1\) of the Acquisition of Land Act 1981](#)

48. The consenting regimes for Nationally Significant Infrastructure Projects (NSIPs) under the Planning Act 2008<sup>5</sup> and Developments of National Significance under the Town and Country Planning Act 1990<sup>6</sup> (as amended by the Planning (Wales) Act 2015) introduced statutory timescales for the issuing of decisions on such applications by the relevant consenting authority.
49. Subject to ensuring the fairness and integrity of the CPO decision making process is maintained, we believe there is merit in bringing more certainty to local authorities by introducing statutory timescales for the issuing of decisions on CPOs. The confirmation stage of a CPO comprises a number of discrete steps and the timescale for a decision will be affected by a range of case-specific considerations. We propose to introduce a statutory timescale of 12 weeks for the issuing of decisions on CPOs considered by the written representations or public inquiries procedures which are made under the:
- Local Government Act 1972,
  - Housing Act 1985,
  - Town and Country Planning Act 1990; and
  - Planning (Listed Building Planning (Listed Buildings and Conservation Areas) Act 1990
- as these types of CPOs i.e. planning, regeneration, housing, listed buildings in need for repair will help:
- (a) the Welsh Government deliver its priority of enabling local authorities to acquire land and redundant buildings for the purposes of supplying increased social housing at pace, and
- (b) local authorities and their communities to recover in the immediate post Covid-19 phase.
50. It is proposed the statutory timescale of 12 weeks for the issuing of decisions on CPOs will commence:
- where the Welsh Ministers are the decision maker - the day on which the Welsh Ministers receive the inspector's report where the CPO is considered under the written representations or public inquiries procedures;
  - where an inspector is the decision maker – the day after the public inquiry closes or the day after receipt of the final representations and comments from parties.

#### *Compulsory purchase under section 17 of the Housing Act 1985*

51. [Section 17 of the 1985 Act](#) empowers local housing authorities (LHAs) to compulsorily acquire land, houses or other properties for the provision of housing accommodation where the acquisition will achieve a quantitative or qualitative housing gain. Where land is to be compulsorily purchased under section 17, [section 17\(4\)](#) provides the Welsh Ministers may not confirm a CPO unless they are satisfied the land is likely to be required for the provision of housing accommodation within the period of 10 years.

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<sup>5</sup> [Section 107 of the Planning Act 2008](#)

<sup>6</sup> [Section 62L of the Town and Country Planning Act 1990](#)

52. A priority of the Welsh Government is to enable local authorities to acquire land and redundant buildings for the purposes of supplying increased social housing at pace. As such, the Welsh Government is committed to strengthening local authorities' CPO powers to help achieve this aim. The current provision under [section 17\(4\) of the 1985 Act](#) allows CPO powers to be exercised by a LHA even though there may not be an immediate need for the land within ten years i.e. a measure of land acquisition planning may be required for a site. The wording of the provision under section 17(4) no longer reflects the priority of the Welsh Government to enable local authorities to supply increased social housing at pace.
53. We propose to amend [section 17\(4\) of the 1985 Act](#) to provide the Welsh Ministers with a power to refuse to confirm a CPO made by a LHA unless they are satisfied the land is likely to be required for the provision of housing accommodation within a period of six years. This amendment will help speed up the delivery of housing supply and reduce the uncertainty for those persons affected by a CPO made under [section 17 of the 1985 Act](#) of when the CPO will become operative and compensation paid. The justification for this approach is under primary legislation acquiring authorities have a period of three years beginning with the date on which the notice of the confirmation of a CPO is first published to either serve a notice to treat or execute a general vesting declaration. Where a notice to treat is served, it shall cease to have effect at the end of the period of three years beginning with the date on which it was served. Therefore, the proposed amendment of six years for land to be required for the provision of housing accommodation aligns with the same period for when the acquisition of land through the use of compulsory purchase powers must be completed once a CPO is confirmed.

*Land Transaction Tax and Anti-Avoidance of Devolved Taxes (Wales) Act 2017:  
Compulsory purchase relief*

54. Some local authorities have identified the cost of undertaken a CPO is a barrier to the use of their compulsory purchase powers. Although the Welsh Ministers have no powers to make changes to the land compensation regime in Wales, they do have responsibility over matters relating to Land Transaction Tax (LTT).
55. [Paragraph 1 of Schedule 21 to the Land Transaction Tax and Anti-Avoidance of Devolved Taxes \(Wales\) Act 2017](#) ("the 2017 Act") provides relief from LTT where land is purchased following the making of a CPO for the purposes of facilitating development by another party. For example, this relief might be claimed where a local authority makes a CPO (whether by agreement or not) to acquire land or property for development by a separate developer. As this situation comprises two land transactions, two amounts of LTT would be due. However, providing the local authority is not responsible for the development, it is able to claim relief from LTT when it acquires the chargeable interest under the first transaction
56. Although the use of compulsory purchase powers by local authorities can bring certainty to the delivery of development it can be costly where large scale development schemes are involved.

To reduce the costs to local authorities of undertaking a CPO, we would be grateful for your views on whether [Schedule 21 to the 2017 Act](#) should be amended to provide relief from LTT where land is purchased following the making of a CPO by a local authority for the purposes of facilitating the following types of development by the local authority:

- housing development;
- redevelopment or improvement of empty properties.

## Part 2 - Secondary legislation: Compulsory purchase public inquiries and written representations procedures

### *Public inquiries procedure*

57. To streamline and modernise the compulsory purchase public inquiries procedure we propose to introduce the following amendments to the Compulsory Purchase (Inquiries Procedure) (Wales) Rules 2010:

- (i) Authorise and facilitate the use and/or withdrawal of electronic communications throughout the public inquiry procedure. Under the existing procedure the Welsh Ministers are required to service notices or documents via post. This can be resource-intensive and can, in some cases, delay the date on which the decision is issued. The proposed approach would allow notices or documents to be serviced either electronically where a person have indicated a willingness to receive notices and documents in this form or by post. Parties who had not provided an electronic address could continue to receive notices or documents by post. In addition, we would continue to provide hard copies of inspector's reports and decision letters on request. We also propose where a person is no longer willing to accept the use of electronic communications for receiving notices and documents served under the inquiries procedure the person will be required to give notice in writing. This approach will facilitate a less onerous and a cost-effective way for parties to proceed. Likewise, it will result in the increased efficiency of the processing of CPOs subject to a public inquiry.
- (ii) Require the decision maker, i.e. the Welsh Ministers or inspector in the case of a delegated decision, to inform the parties to the public inquiry of the expected date of their decision on the CPO within ten working days beginning with the day after which the public inquiry closes. Under the existing procedure, once a public inquiry is complete there are no time restrictions for the completion of the inspector's report or the issuing of the decision on the CPO. The proposed approach will allow inspectors to factor in the case-specific issues, such as the number of remaining objectors and the complexity of issues raised by the objectors. It will also improve transparency in the decision making process.
- (iii) Authorise and facilitate pre-inquiry meetings to be conducted by means of a telephone or video conference facility providing no interested party to a CPO is disadvantaged. Under the existing procedure pre-inquiry meetings must be conducted in person which can be a challenge to arrange due to the availability of parties to attend at the same location.

The proposed approach will facilitate a less onerous and cost-effective way for parties to proceed. Likewise, it will adopt the practice of conducting virtual meetings which developed during the Covid-19 pandemic. This will improve the efficiency of the processing of CPOs subject to a public inquiry and in turn the issuing of decisions.

- (iv) Update the procedures for publishing notices of pre-inquiry meetings and public inquiries by introducing a less burdensome process including:
  - (a) Removing the requirement for notice of the Welsh Ministers' intention to hold a pre-inquiry meeting to be published in one or more newspapers. Also, the requirement for the Welsh Ministers to give notice of the date, time and place of a pre-inquiry meeting by either erecting a site notice or publishing a notice in one or more newspapers. The nature of pre-inquiry meetings is to discuss the procedure, scope and programming of the public inquiry including what steps might be taken to secure the public inquiry is run efficiently and expeditiously. The result is often an agreed programme of: appearances by objectors; for the submission of evidence; and the production and availability of documents. The merits of the CPO case are not discussed at this stage in proceedings. Under the existing procedure the Welsh Ministers are required to give at least three weeks' written notice of a pre-inquiry meeting to:
    - (i). each remaining objector, and
    - (ii). any other person whose presence at the meeting seems to them to be desirable, for example, representatives from a community group or special interest organisation who have submitted objections but are not relevant objectors.

The proposed approach will streamline the procedure by removing the need to publicise widely the intention to hold a pre-inquiry meeting and to publish notice of the date, time and place of a pre-inquiry meeting. The requirement for notice of a pre-inquiry meeting to be given directly to those parties who the Welsh Ministers think need to attend will be retained. As such, we are of the view there will be no loss in fairness or impact on the rights of those parties directly affected by a CPO to attend a pre-inquiry meeting.

- (b) Clarifying a notice of the public inquiry is to be published in one local newspaper circulating in the locality in which the land is situated replacing the current wording in the procedure requiring a notice to be published in "one or more newspapers". The proposed approach will streamline the procedure and reduce both the costs and administration burden on acquiring authorities.

- (c) Introducing a new procedure for the serving of a notice of a public inquiry where landowners or occupiers cannot be traced or remain unknown after reasonable inquiry is undertaken by the acquiring authority i.e.

“where the name or address of any owner, lessee, tenant or occupier of the land on whom a notice is to be served cannot after reasonable inquiry be ascertained, serve notice of the inquiry by addressing it to them by the description of “owner”, “lessee”, “tenant” or “occupier” of the land (describing it) and by delivering it to some person on the land or if there is no person on the land to whom it may be delivered, leaving it or a copy of it on or near the land”.

This approach will remove a barrier to the efficient running of the procedure and allow public inquiries to proceed more efficiently.

- (v) Require the serving of outline statements only where copies of a Statement of Reasons has not been provided to qualifying persons when a CPO is made. Under the existing procedure outline statements must be prepared and served by all acquiring authorities. Although the submission of a Statement of Reasons by an acquiring authority is not a statutory requirement, it is standard practice for one to be submitted alongside a CPO. It is also an expectation outlined in Welsh Government Circular 003/2019: Compulsory Purchase in Wales and ‘The Cricheol Down Rules (Wales Version, 2019)’. A number of acquiring authorities have adopted the practice of replicating the contents of their Statement of Reasons in their outline statements. This is both a duplication of process and information. The proposed approach will reduce both the costs and administration burden on acquiring authorities who submit a Statement of Reasons alongside their CPO.
- (vi) Increase the timescale for the serving of Statements of Cases to no later than four weeks prior to the date fixed for the holding of the public inquiry where a rule 4 pre-inquiry meeting (a pre-inquiry called by the Welsh Ministers) is not held. Under the existing procedure the timescales for the service of a Statement of Case where a rule 4 pre-inquiry meeting is not held is six weeks after the relevant date (i.e. the date of the Welsh Ministers’ written notice of a public inquiry). The proposed approach of extending the timescale for the serving of Statements of Cases where a rule 4 pre-inquiry meeting is not held will align with the timescale for the service of a Statement of Case where a rule 4 pre-inquiry meeting is held. I.e. four weeks after the conclusion of a rule 4 pre-inquiry meeting the acquiring authority must serve a copy of its Statement of Case, in practice this is four weeks before the date fixed for the holding of the public inquiry.

- (vii) Provide a power to the Welsh Ministers to extend the 5 weeks deadline for giving written notice of a public inquiry. In relation to non-ministerial CPOs, under the existing procedure the Welsh Ministers must give notice of a public inquiry to the acquiring authority and each remaining objector not later than 5 weeks after whichever is the later of:
  - (a) the expiry of the time within which objections to the CPO may be made, and
  - (b) the submission of the CPO to the Welsh Ministers for confirmation.

The time taken to process and review objections to a large scale, controversial CPO can subsume the majority of the 5 week period for determining which procedure is the most appropriate to consider the CPO. The proposed approach to allow Welsh Ministers to extend this period will allow more time for the consideration of which procedure should be used to consider the CPO. It will also provide an opportunity for objections to be shared with acquiring authorities and for them to form early views. This will help narrow areas of dispute, shorten the length of public inquiries, and reduce the overall cost of CPOs.

- (viii) Allow the depositing of CPO documents (including associated maps) for inspection both at physical locations and in electronic format, for example, on an acquiring authority's website. Under the existing procedure where an acquiring authority intends to refer to a document or relevant part at a public inquiry, and it has not been copied to each remaining objector, the acquiring authority is required to serve a notice naming a time and place in the locality where a copy of those documents may be inspected. The Welsh Government's Circular 003/2019: Compulsory Purchase in Wales and 'The Crichel Down Rules (Wales Version, 2019)' outlines a certified copy of the CPO and associated map should be deposited for inspection at an appropriate place within the locality of the CPO land. For example, a local authority's office, which traditionally opens on a 9am – 5pm, Monday – Friday excluding Bank Holidays basis. This scenario has the potential to exclude those persons living in the area from accessing the CPO documentation whose working hours are the same. The way people access information has changed since the 1981 Act came into force and there is an increased reliance on the internet as the main source of information. The Covid-19 pandemic has accelerated this shift in practice. The proposed approach of allowing the depositing of CPO documents (including associated maps) both at physical locations and in electronic format for inspection purposes will modernise and increase engagement in the compulsory purchase process, along with improving accessibility to and raising awareness of CPOs.
- (ix) Require notice of the public inquiry to be published concurrently in physical and digital (where one exists) copies of a local newspaper circulating in the locality in which the CPO land is situated. The existing procedure states acquiring authorities to publish notice of the public inquiry in a local newspaper circulating in the locality in which CPO land is situated. The proposed approach will modernise and increase engagement in the compulsory purchase process, along with improving accessibility to and raise awareness of CPOs.

### Written representations procedure

58. To streamline and modernise the compulsory purchase written representations procedure we propose to make the following amendments to the Compulsory Purchase of Land (Written Representations Procedure) (National Assembly for Wales) Regulations 2004:

- (i) Require a site visit to be undertaken by an inspector within 15 weeks of the date for the start of the written representations procedure. Under the existing regulations there is no statutory timescale for a site visit by an inspector to be arranged. The proposed approach would, in effect, allow a maximum four week period, after receipt of the final representations and comments from parties, for inspectors to arrange and undertake a site visit. It will also improve transparency in the decision making process.
- (ii) Update the procedure for how consent is to be given to the use of the written representations procedure. The existing regulations require written consent to be obtained from all remaining objectors before the written representations procedure can be used. This can cause delays in the processing of CPOs and result in only a small number of cases following the written representations procedure. Under the proposed approach, each remaining objector will be deemed to have given their consent to the use of the written representations procedure unless they notify the Welsh Ministers they wish a public inquiry to be held. Remaining objectors will be required to state this in a prescribed form no later than 14 days after they are contacted by the Welsh Ministers. The proposed approach follows the consenting regime for NSIPs under the Planning Act 2008<sup>7</sup> which requires persons affected by a compulsory acquisition provision in a development consent order to notify the decision maker they wish a compulsory acquisition hearing to be held.

### Consultation questions

59. Specific consultation questions relating to this consultation are set out below. If you wish to respond please complete the Consultation Response Form at Annex A.

#### Part 1 - Primary legislation: Compulsory purchase procedures and enabling powers

Q1	Do you agree whether the Acquisition of Land Act 1981 should be amended to allow site notices publicising a CPO to be addressed in the description of "owner" or "occupier" of the land where the name of a person occupying or having an interest in land cannot, after reasonable inquiry, be ascertained by the acquiring authority? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

<sup>7</sup> [Section 92 of the Planning Act 2008](#)

Q2	Do you agree whether the Acquisition of Land Act 1981 should be amended to allow the depositing of CPO documents (including associated maps) for inspection both at physical locations and in electronic format, for example, on an acquiring authority's website? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q3	Do you agree whether the Acquisition of Land Act 1981 should be amended to require newspaper notices published under the Act to be published concurrently in physical and digital (where one exists) copies of a local newspaper circulating in the locality in which the CPO land is situated? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q4	Do you agree whether the Acquisition of Land Act 1981 should be amended to allow documents and notices to be served via electronic communication methods in addition to the other service delivery methods already permitted under the Act? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q5	<p>Where the Welsh Ministers consider it inappropriate for objections to a CPO to be considered solely via the written representations procedure, do you agree whether the Acquisition of Land Act 1981 should be amended to allow such CPOs to be considered by a combination of the following procedures in accordance with a timetable set by the inspector:</p> <ul style="list-style-type: none"> <li>• written representations,</li> <li>• a public hearing, and</li> <li>• a public inquiry?</li> </ul> <p>If not, why not?</p> <p>[NB. The proposed amendment will not apply to those CPOs where the Welsh Ministers seek the permission of remaining objectors to use the written representations procedure].</p>	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q6	<p>Do you agree whether the Acquisition of Land Act 1981 (“the 1981 Act”) should be amended to allow acquiring authorities to confirm their own CPOs in the circumstances outlined in:</p> <p>(a) <a href="#">paragraph 40(a)</a> of the consultation document providing the responsible Minister has issued a certificate in accordance with <a href="#">section 16(2) of the 1981 Act</a> and the conditions set out in <a href="#">section 14A(3) of the 1981 Act</a> have been met; and</p> <p>(b) <a href="#">paragraph 40(b)</a> of the consultation document providing the Welsh Ministers have issued a certificate in accordance with <a href="#">section 19(1) of the 1981 Act</a> and the conditions set out in <a href="#">section 14A(3) of the 1981 Act</a> have been met?</p> <p>If not, why not?</p>	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q7	<p>Do you agree whether the Acquisition of Land Act 1981 (“the 1981 Act”) should be amended to allow a CPO made under the Local Government Act 1972 and Housing Act 1985 to be confirmed where:</p> <p>(a) a representation has been made by a statutory undertaker under <a href="#">section 16(1)</a> of, or <a href="#">paragraph 3(1) of Schedule 3</a> to, the 1981 Act without an application for a <a href="#">section 16(2)</a> of, or <a href="#">paragraph 3(2) of Schedule 3</a> to, the 1981 Act certificate, or where such an application for a certificate is refused or is made after the expiration of the time within which objections to the CPO can be made, and</p> <p>(b) the confirmation of the CPO is undertaken jointly by the appropriate Minister and the confirming Welsh Minister?</p> <p>If not, why not?</p>	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q8	<p>Do you agree whether a statutory timescale of 12 weeks should be introduced for the issuing of decisions on CPOs made under the following Acts:</p> <ul style="list-style-type: none"> <li>• Local Government Act 1972,</li> <li>• Housing Act 1985,</li> <li>• Town and Country Planning Act 1990; and</li> <li>• Planning (Listed Building Planning (Listed Buildings and Conservation Areas) Act 1990?</li> </ul> <p>If not, why not?</p>	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q9	<p>Do you agree whether the Housing Act 1985 should be amended to provide a power to the Welsh Ministers to refuse to confirm a CPO made under section 17 of that Act unless they are satisfied the land is likely to be required for the provision of housing accommodation within a period of six years?</p> <p>If not, why not?</p>	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q10	<p>Do you agree whether Schedule 21 to the Land Transaction Tax and Anti-Avoidance of Devolved Taxes (Wales) Act 2017 should be amended to provide relief from land transaction tax where land is purchased following the making of a CPO by a local authority for the purposes of facilitating the following types of development by the local authority:</p> <ul style="list-style-type: none"> <li>• housing development;</li> <li>• redevelopment or improvement of empty properties?</li> </ul> <p>If not, why not?</p>	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Part 2 - Secondary legislation: Compulsory purchase public inquiries and written representations procedures

*Public inquiries procedure*

Q11	Do you agree whether the public inquiries procedure should be amended to allow the service of notices and documents to be undertaken electronically subject to ensuring parties who do not have electronic access or who requested a hard copies to continue to receive the relevant information by post? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q12	Where Welsh Ministers are the decision maker on a CPO, do you agree whether the public inquiries procedure should be amended so that acquiring authorities must be informed within 10 days of the end of the public inquiry the timescale for the issuing of decision? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q13	Do you agree whether the public inquiries procedure should be amended to allow pre-inquiry meetings to be conducted by means of a telephone or video conference facility providing no interested party to a CPO will be disadvantaged? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q14	Do you agree whether the public inquiries procedure should be amended so the requirement to give notice of: (a) the intention to hold a pre-inquiry meeting by publishing a notice in one or more newspapers, and (b) the date, time and place of a pre-inquiry meeting by either erecting a site notice or publishing a notice in one or more newspapers should be removed? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q15	Do you agree whether the public inquiries procedure should be amended to clarify notices of a public inquiry should be published in one local newspaper circulating in the locality in which the land is situated? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q16	Do agree whether the public inquiries procedure should be amended to provide for the serving of a notice of a public inquiry where landowners or occupiers cannot be traced or remain unknown after reasonable inquiry is undertaken by the acquiring authority? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q17	Do agree whether the public inquiries procedure should be amended to allow the serving of outline statements only where copies of a Statement of Reasons has not been provided to qualifying persons when a CPO is made? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q18	Do agree whether the public inquiries procedure should be amended to increase the timescale for the serving of Statements of Cases to no later than four weeks prior to the date fixed for the holding of the public inquiry where a rule 4 pre-inquiry meeting ((a pre-inquiry called by the Welsh Ministers) is not held? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q19	Do agree whether the public inquiries procedure should be amended to provide a power to the Welsh Ministers to extend the 5 weeks deadline for giving written notice of a public inquiry? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q20	Do you agree whether the public inquiries procedure should be amended to allow the depositing of CPO documents (including associated maps) for inspection both at physical locations and in electronic format, for example, on an acquiring authority's website? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q21	Do you agree whether the public inquiries procedure should be amended to require newspaper notices to be published under the procedure to be published concurrently in physical and digital (where one exists) copies of a local newspaper circulating in the locality in which the CPO land is situated? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

*Written representations procedure*

Q22	Do you agree whether the written representations procedure should be amended to include a requirement that a site visit should be undertaken by an inspector within 15 weeks of the date for the start of the written representations procedure into a CPO? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

Q23	Do you agree whether the written representations procedure should be amended so that the prescribed manner for the giving of consent to the use of the procedure is that each remaining objector is deemed to have given their consent unless they notify the Welsh Ministers they wish a public inquiry to be held? If not, why not?	Yes	Yes (subject to comment)	No
		<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Comments:				

### Part 3 - General

Q24	We have asked a number of specific consultation questions. If you have any related issues which we have not specifically addressed, please use the space below to raise them.
Comments:	

### Part 4 – Welsh language considerations

Q25	<p>We would like to know your views on the effects of the proposals to:</p> <p>(a) modernise the statutory compulsory purchase powers and procedures underpinned by primary legislation, and</p> <p>(b) implement technical process improvements to streamline the compulsory purchase public inquiries and written representations procedures</p> <p>would have on the Welsh language, specifically on opportunities for people to use Welsh and on treating the Welsh language no less favourably than English.</p> <p>What effects do you think there would be? How could positive effects be increase, or negative effects be mitigated?</p>
Comments:	

Q26	<p>Please also explain how you believe the proposals to:</p> <ul style="list-style-type: none"><li>(a) modernise the statutory compulsory purchase powers and procedures underpinned by primary legislation, and</li><li>(b) implement technical process improvements to streamline the compulsory purchase public inquiries and written representations procedures</li></ul> <p>could be formulated or changed so as to have positive effects or increased positive effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language, and no adverse effects on opportunities for people to use the Welsh language and on treating the Welsh language no less favourably than the English language.</p>
Comments:	