

Consultation reference: WG23294

Annex 1 - Consultation Response Form

Consultation on Proposed Amendments to Legislation on the Power to Override Easements and Other Rights

We want your views on our proposals to amend, by order, the provisions contained in the following Acts which provide powers to relevant organisations enabling them to override easements and other rights over land in their ownership to improve the implementation of regeneration projects by removing an impediment to the use of the land:

- (i) Paragraph 6 of Schedule 28 to the Local Government, Planning and Land Act 1980;
- (ii) Section 19 of the New Towns Act 1981;
- (iii) Paragraph 5 of Schedule 10 to the Housing Act 1988: and
- (iv) Section 237 of the Town and Country Planning Act 1990.

This consultation document puts forward proposals to amend the provisions listed above.

Please submit your comments by: 16/01/2015.

If you have any queries on this consultation, please email: planconsultations-h@wales.gsi.gov.uk or telephone 029 2082 5181.

Data Protection

Any response you send us will be seen in full by Welsh Government staff dealing with the issues which this consultation is about. It may also be seen by other Welsh Government staff to help them plan future consultations.

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. This helps to show that the consultation was carried out properly. If you do not want your name or address published, please tell us this in writing when you send your response. We will then blank them out.

Names or addresses we blank out might still get published later, though we do not think this would happen very often. The Freedom of Information Act 2000 and the Environmental Information Regulations 2004 allow the public to ask to see information held by many public bodies, including the Welsh Government. This includes information which has not been published. However, the law also allows us to withhold information in some circumstances. If anyone asks to see information we have withheld, we will have to decide whether to release it or not. If someone has asked for their name and address not to be published, that is an important fact we would take into account. However, there might sometimes be important reasons why we would have to reveal someone's name and address, even though they have asked for them not to be published. We would get in touch with the person and ask their views before we finally decided to reveal the information.

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Use of Land: Power to Override Easements and Other Rights		
Date of consultation period: 06/10/2014 – 16/01/2015		
Name	Rhian Jardine (Head of Sustainable Communities)	
Organisation	Cyfoeth Naturiol Cymru/Natural Resources Wales	
Address	Ty Cambria 29 Newport Road CARDIFF CF24 0TP	
E-mail address	Rhian.Jardine@cyfoethnaturiolcymru.gov.uk	
Type <i>(please select one from the following)</i>	Businesses/ Consultants	<input type="checkbox"/>
	Local Planning Authority	<input type="checkbox"/>
	Government Agency/Other Public Sector	<input checked="" type="checkbox"/>
	Professional Bodies/Interest Groups	<input type="checkbox"/>
	Voluntary sector (community groups, volunteers, self help groups, co-operatives, social enterprises, religious, and not for profit organisations)	<input type="checkbox"/>
	Other (other groups not listed above) or individual	<input type="checkbox"/>

Q1	Do you agree that the following provisions should be amended so that the overriding of easements and other rights in Wales will not only apply to the erection, construction or carrying out or maintenance of any building or works phase, but also to the permanent new use of the site when use is in accordance with planning permission?	Yes	Yes (subject to further comment)	No
		(i) Paragraph 6 of Schedule 28 to the Local Government, Planning and Land Act 1980 ii) Section 19 of the New Towns Act 1981 iii) Paragraph 5 of Schedule 10 to the Housing Act 1988 iv) Section 237 of the Town and Country Planning Act 1990	<input checked="" type="checkbox"/>	<input type="checkbox"/>

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Q2	We have asked a specific question; if you have any related issues which we have not specifically addressed, please use this space to report them.
Comments: No comment.	

Responses to consultations are likely to be made public, on the internet or in a report. If you would prefer your response to remain anonymous, please tick here:

How to Respond

Please submit your comments in any of the following ways:

Email
Please complete the consultation form and send it to : planconsultations-h@wales.gsi.gov.uk [Please include 'Consultation on Overriding Easements and Other Rights – WG23294' in the subject line]
Post
Please complete the consultation form and send it to: Consultation WG23294 Decisions Branch Planning Division Welsh Government Cathays Park Cardiff CF10 3 NQ
Additional information
If you have any queries on this consultation, please email: planconsultations-h@wales.gsi.gov.uk or telephone: Andrew Ward on 029 2082 5181