STATUTORY INSTRUMENTS

2018 No. 252 (C. 25)

ACQUISITION OF LAND, ENGLAND AND WALES

The Neighbourhood Planning Act 2017 (Commencement No. 4 and Transitional Provisions) Regulations 2018

Made - - - - 26th February 2018

The Secretary of State, in exercise of the powers conferred by section 46(1), (2) and (4) of the Neighbourhood Planning Act 2017(**1**), makes the following Regulations:

Citation

1. These Regulations may be cited as the Neighbourhood Planning Act 2017 (Commencement No. 4 and Transitional Provisions) Regulations 2018.

Interpretation

2. In these Regulations—

"the Act" means the Neighbourhood Planning Act 2017;

"special enactment" means—

(a) a local or private Act which authorises the compulsory purchase of land specifically identified in that Act; or

(b) a provision which—

(i) is contained in an Act other than a local or private Act, and

(ii) authorises the compulsory purchase of land specifically identified in that Act.

Provision coming into force on 6th April 2018

3. The following provision of the Act comes into force on 6th April 2018—

(a) section 38(**2**) (Timing of advance payments of compensation).

(**1**) 2017 c. 20.

(**2**) The Housing and Planning Act 2016 (Commencement No.7 and Transitional Provisions) Regulations 2018 (to be made on the same date as these Regulations) will bring into force section 195 of the Housing and Planning Act 2016 on 6th April 2018. That section makes amendments to the Land Compensation Act1973 that section 38 of the Act further amends.

Transitional provisions: Timing of advance payments of compensation

4.—(1) The amendments made by section 38 of the Act only apply in relation to a compulsory purchase of land which is authorised on or after 6th April 2018.

(2) For the purposes of this regulation, a compulsory purchase of land is authorised—

(a) by a compulsory purchase order, on the day on which the order is—

(i) confirmed by a Minister, the Welsh Ministers or another authority; or

(ii) made by a Minister or the Welsh Ministers;

(b) by an order under section 1 or 3 of the Transport and Works Act 1992(**3**), on the day on which the Secretary of State or the Welsh Ministers determine under section 13(1) of that Act to make the order;

(c) by a harbour revision order, a harbour empowerment order or a harbour closure order under the Harbours Act 1964(**4**), on the day on which the order is made by a Minister, the Welsh Ministers or a person who is designated in an order made under section 42A(**5**) of that Act;

(d) by any other order, on the day on which the order is made by a Minister or the Welsh Ministers; or

(e) by a special enactment, on the day on which the special enactment is enacted.

Signed by authority of the Secretary of State for Housing, Communities and Local Government

Dominic Raab
Minister of State
Ministry of Housing, Communities and Local Government

26th February 2018

(**3**) 1992 c. 42.
(**4**) 1964 c. 40.
(**5**) Section 42A was inserted by section 315 of, and paragraphs 1 and 3(1) of Schedule 21 to, the Marine and Coastal Access Act 2009 (c. 23).