

# Proposed Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010

[AS PASSED]

A Measure of the National Assembly for Wales to make provision in relation to community involvement in decisions by local authorities in Wales whether to dispose of playing fields; and for connected purposes.

## **1 Community involvement in disposals by local authorities of playing fields**

- 5 (1) The Welsh Ministers may, by regulations, make provision for the involvement of communities in decisions by local authorities about disposals by them of land consisting or forming part of a playing field.
- (2) Regulations under subsection (1) may amongst other things –
- 10 (a) apply the regulations to specified kinds of disposals;
- (b) apply the regulations to disposals of specified kinds of playing field;
- 10 (c) make a disposal to which the regulations apply subject to consultation in accordance with the regulations;
- (d) specify persons or categories of person who must be consulted, those persons being those affected by, or interested in, a disposal to which the regulations apply;
- 15 (e) provide for the form and manner of consultation;
- (f) provide for the giving of notice of proposed disposals, including the form and manner of notice;
- (g) require the provision of information about –
- 20 (i) the effect of a proposed disposal on any strategy, plan or assessment specified in the regulations, or
- (ii) anything else connected to a proposed disposal;
- (h) specify the form and manner in which information is to be provided;
- (i) provide that a local authority must, in exercising its functions under the regulations, have regard to guidance given from time to time by the Welsh Ministers;
- 25 (j) make different provision for different cases or classes of case;
- (k) make provision generally or subject to exceptions or only in relation to specific cases or classes of case;

- (l) make such incidental, supplementary, consequential, transitional or saving provisions as the Welsh Ministers think fit.

- (3) In this Measure –

“disposal” (“*gwarediad*”) means a grant of any estate or interest in land or the entry into an agreement to do so;

“local authority” (“*awdurdod lleol*”) means –

- (i) a county or county borough council,
- (ii) a community council (including a town council),
- (iii) a National Park authority;

“playing field” (“*cae chwarae*”) means an open space which includes one or more areas which have at any time been marked or otherwise set aside for sport or other similar recreational activity.

## 2 Amendment to the Local Government Act 1972 (c. 70)

- (1) The Local Government Act 1972 (c. 70) is amended as follows.

- (2) In section 123 (disposal of land by principal councils) –

- (a) in subsection (1), after “Subject to the following provisions of this section,” insert –

“and to those of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010,”,

- (b) after subsection (2A), insert –

“(2AA) Subsection (2A) does not apply to a disposal to which the provisions of regulations made under section 1 of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 apply.”, and

- (c) in subsection (2B), after “by virtue of subsection (2A) above” insert –

“or in accordance with the provisions of regulations made under section 1 of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010.”.

- (3) In section 127 (disposal of land by parishes and communities), in subsection (1), after “Subject to the following provisions of this section,” insert –

“and to those of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010,”.

## 3 Disposal by National Park authorities of playing fields

- (1) The Environment Act 1995 (c. 25) is amended as follows.

- (2) In Schedule 8, after paragraph 1(1) insert –

“(1A) The reference in sub-paragraph (1) to section 123 of the 1972 Act is to be interpreted as a reference to that section as amended by section 2 of the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010 in so far as that sub-paragraph applies to a National Park authority for a National Park in Wales.”.

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#### **4 Procedure for regulations**

- (1) The power to make regulations conferred by this Measure is exercisable by statutory instrument.
- (2) A statutory instrument containing regulations made under this Measure is subject to annulment in pursuance of a resolution of the Assembly.

#### **5 Short title and commencement**

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- (1) This Measure may be referred to as the Playing Fields (Community Involvement in Disposal Decisions) (Wales) Measure 2010.
- (2) This Measure comes into force on the day on which it is approved by Her Majesty in Council.