

# The Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2020

This note is prepared for Assembly Members following the decisions of the Business Committee on 27 March 2020 and 3 April 2020 regarding the temporary handling of statutory instruments laid before the Assembly.

## Summary

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This Order amends the Town and Country Planning (General Permitted Development) (Amendment) (Wales) Order 2020 (**the GPDO**).

In particular, this Order amends Schedule 2 to the GPDO by inserting a new Part 12A (Emergency Development by Local Authorities) to permit local authorities to carry out specified development in an emergency in accordance with that Part. For these purposes an emergency is an event or situation which threatens serious damage to human welfare in a place in the United Kingdom.

The development permitted is development for the purposes of:

- (a) preventing an emergency,
- (b) reducing, controlling or mitigating the effects of an emergency, or
- (c) taking other action in connection with an emergency.

## Procedure

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Negative.

## Further Points To Note

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The following point is noted in respect of this Order.

### 1. Breach of the 21-day rule

We note the breach of the 21-day rule (i.e. the rule that 21 days should pass between the date subordinate legislation is laid before the Assembly and the date the subordinate legislation comes into force), and the explanation for the breach provided by Rebecca Evans, Minister for Finance and Trefnydd to the Llywydd in a letter dated 30 March 2020.

In particular, we note what the letter says about this Order coming into force on the day it was laid:

“The Order is required to come into force as soon as possible to enable local authorities to use their land for development in accordance with Part 12A. This would enable for instance buildings such as leisure centres to be used for the purpose of hospital care. If the Order does not come into force local authorities will be required to apply for planning permission to carry out such development. The Order seeks to avoid the delay that the making and processing of such applications would inevitably involve. In view of the circumstances surrounding the COVID-19 disease which falls in the category of an “emergency” for the purposes of the Order and in particular its fast-moving nature, not adhering to the 21-day rule is thought necessary and justifiable in this case.”



**Legal Services**  
**National Assembly for Wales**  
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