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WELSH STATUTORY INSTRUMENTS

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**2009 No. 3342**

**The Town and Country Planning (Environmental  
Impact Assessment) (Undetermined Reviews of Old  
Mineral Permissions) (Wales) Regulations 2009**

**PART 3**

Environmental Statements

CHAPTER 1

Preparation of Environmental Statements

**Procedure to facilitate preparation of environmental statements**

**16.**—(1) Subject to paragraph (6), the relevant mineral planning authority must, if requested by a person notified in accordance with regulation 12(7), 13(12), 14(13) or 15(13), enter into consultation with that person to determine whether the authority has in its possession any information which the person or the authority considers relevant to the preparation of the environmental statement and, if it has, the authority must make that information available to that person.

(2) Any person notified in accordance with regulation 12(7), 13(12), 14(13) or 15(13) may give notice in writing to the relevant mineral planning authority or, as the case may be, to the Welsh Ministers, under this paragraph.

(3) A notice under paragraph (2) must include the information necessary to identify the land and the nature and purpose of the EIA development

(4) The recipient of such notice as is mentioned in paragraph (2) must—

- (a) notify the consultation bodies in writing of the name and address of the person who gave notice under paragraph (2), and of the duty imposed on the consultation bodies by paragraph (5) to make information available to that person; and
- (b) inform in writing the person who gave the notice of the names and addresses of the bodies so notified.

(5) Subject to paragraph (6), any body notified in accordance with paragraph (4)(a) must, if requested by the person identified to the body as being the person who gave notice under paragraph (2), enter into consultation with that person to determine whether the body has in its possession any information which the person or the body considers relevant to the preparation of the environmental statement and, if it has, the body must make that information available to that person.

(6) This regulation does not require the disclosure of any information—

- (a) to which the Environmental Information Regulations 2004 <sup>M1</sup> apply, where the person holding it would be entitled to withhold it in response to a request made in accordance with those Regulations; or
- (b) which in any other case would be exempt information if a request for its disclosure were made in accordance with the Freedom of Information Act 2000 <sup>M2</sup>.

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**Changes to legislation:** There are currently no known outstanding effects for the *The Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009, Section 16. (See end of Document for details)*

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(7) A reasonable charge reflecting the cost of making the relevant information available may be made by an authority or body which makes information available in accordance with paragraph (1) or (5).

**Marginal Citations**

**M1** [S.I. 2004 No. 3391.](#)

**M2** [2000 c. 36.](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009, Section 16.