
WELSH STATUTORY INSTRUMENTS

2009 No. 3342 (W.293)

TOWN AND COUNTRY PLANNING, WALES

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

<i>Made</i>	- - - -	<i>16 December 2009</i>
<i>Laid before the National Assembly for Wales</i>		<i>17 December 2009</i>
<i>Coming into force</i>		<i>8 January 2010</i>

THE TOWN AND COUNTRY PLANNING (ENVIRONMENTAL
IMPACT ASSESSMENT) (UNDETERMINED REVIEWS OF
OLD MINERAL PERMISSIONS) (WALES) REGULATIONS 2009

PART 1

General

1. Title, commencement and application
2. Interpretation
3. Prohibition on determination without consideration of environmental information
4. Guidance by the Welsh Ministers
5. Extension of time periods within which steps must be taken by mineral planning authorities
6. Default powers of the Welsh Ministers
7. Welsh Ministers' powers to require returns from relevant mineral planning authorities
8. Format of environmental statements, information, evidence etc.

PART 2

Screening

9. General provisions relating to screening
10. General screening of ROMP development
11. Screening directions of the Welsh Ministers

Status: This is the original version (as it was originally made).

PART 3

Environmental Statements

CHAPTER 1

Preparation of Environmental Statements

12. Scoping opinions of the relevant mineral planning authority
13. Scoping directions of the Welsh Ministers requested under regulation 12(8)
14. Scoping directions of the Welsh Ministers
15. Substitute scoping directions
16. Procedure to facilitate preparation of environmental statements

CHAPTER 2

Submission of Environmental Statements

17. Requirement to submit environmental statement
18. Draft environmental statements: pre-consultation checks
19. Environmental statements: requirement to submit documentary evidence of publication

CHAPTER 3

Environmental Statements: Consultation and Public Participation

20. Environmental statements: publicity requirements
21. Documentary evidence to be submitted to a relevant mineral planning authority or the Welsh Ministers following publication of notice of environmental statement
22. Procedure following notification given under regulation 18(21)
23. Availability of copies of environmental statements
24. Provision of copies of environmental statements for the Welsh Ministers on referral or appeal
25. Charges for copies of environmental statements

PART 4

Further Information, Evidence and Other Information etc.

CHAPTER 4

Further Information and Evidence

26. Further information
27. Evidence
28. Further information and evidence: pre-consultation check
29. Further information and evidence: requirement to submit documentary evidence of publication

CHAPTER 5

Further Information and Evidence: Consultation and Public Participation

30. Further information or evidence: publicity requirements
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32. Procedure following notice given under regulation 28(8)
33. Availability of copies of further information and evidence
34. Provision of copies of further information and evidence for the Welsh Ministers on referral or appeal
35. Charges for copies of further information and evidence

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36. Reports, advice and any other information

CHAPTER 7

Other Relevant Information: Consultation and Public Participation

37. Other relevant information: publicity requirements
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39. Availability of copies of other relevant information
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PART 5

Determination of Conditions

42. Deemed determination of conditions under the 1991 and 1995 Acts
43. Disapplication of paragraph 4(4) of Schedule 2 to the 1991 Act
44. Determination of conditions
45. Appeals against non-determination

PART 6

Publicity for, and Availability of, Directions, Opinions, Notifications etc. and Notification of Decisions

Publicity for opinions, directions, notifications etc.

46. Publicity to be undertaken by relevant mineral planning authorities

Publicity to be undertaken by the Welsh Ministers

Site notice publicity to be undertaken by applicants, appellants and operators

47. Availability of opinions, directions, etc. for inspection
48. Information to be placed on the register

Status: This is the original version (as it was originally made).

- 49. Duties to inform the public and the Welsh Ministers of final decisions

PART 7

Suspension of Minerals Development

- 50. Duration of suspension of minerals development
- 51. Prohibition Orders

PART 8

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- 52. Application of Part VIII of the 1999 Regulations
- 53. Service of notices etc.
- 54. Application to the High Court
Signature

SCHEDULE 1 Selection criteria for screening

- 1. Characteristics of development
- 2. Location of development
- 3. Characteristics of the potential impact

SCHEDULE 2 Information for inclusion in environmental statements

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PART 1

- 1. Description of the development, including in particular—
- 2. A detailed working programme or programmes in accordance with which...
- 3. An outline of the main alternatives studied by the applicant...
- 4. A description of the aspects of the environment likely to...
- 5. A description of the likely significant effects of the development...
- 6. A description of the measures envisaged to prevent, reduce and...
- 7. A non-technical summary of the information provided under paragraphs 1...
- 8. An indication of any difficulties (technical deficiencies or lack of...

PART 2

- 9. A description of the development comprising information on the site,...
- 10. A detailed working programme in accordance with which the applicant...
- 11. A description of the measures envisaged in order to avoid,...
- 12. The data required to identify and assess the main effects...
- 13. An outline of the main alternatives studied by the applicant...
- 14. A non-technical summary of the information provided under paragraphs 9...

SCHEDULE 3 Notifications

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- 1. Words in parenthesis in this Schedule are not part of...
- 2. Notifications under regulation 11 (screening directions of the Welsh Ministers)
- 3. The matters referred to in regulation 11(12)(b) are—

4. Notifications under regulation 12 (scoping opinions of the relevant mineral planning authority)
5. The matters referred to in regulation 12(7)(b) are—
6. The matters referred to in regulation 12(10) are—
7. Notifications under regulation 13 (scoping directions of the Welsh Ministers requested under regulation 12(8))
8. Notifications under regulation 14 (scoping directions of the Welsh Ministers)
9. The matters referred to in regulation 14(13)(b) are—
10. Notifications under regulation 15 (substitute scoping directions)
11. The matters referred to in regulation 15(13) are—
12. Notifications under regulation 18 (draft environmental statement: pre-consultation checks)
13. The matters referred to in regulation 18(15) are—
14. The matters referred to in regulation 18(24)(d) are—
15. Notifications under regulation 26 (further information)
16. Notifications under regulation 27 (evidence)
17. Notifications under regulation 28 (further information and evidence: pre-consultation checks)
18. The matters referred to in regulation 28(8)(d) are—
Explanatory Note