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WELSH STATUTORY INSTRUMENTS

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**2019 No. 297**

**The Electricity (Offshore Generating Stations)  
(Variation of Consents) (Wales) Regulations 2019**

**Content of variation applications**

- 3.—**(1) A variation application must—
- (a) be made in writing;
  - (b) describe the location of the proposed development by reference to a map;
  - (c) state—
    - (i) why it is proposed that the relevant section 36 consent should be varied;
    - (ii) what account has been taken of views expressed by persons who have been consulted by the applicant about the proposed variation;
  - (d) include—
    - (i) a draft of the variations which the applicant proposes should be made to the relevant section 36 consent; and
    - (ii) copies of any maps or plans not referred to in the relevant section 36 consent but which the applicant proposes that the relevant section 36 consent should refer to after it is varied; and
  - (e) identify which of the bodies referred to in the definition of “relevant planning authority” in regulation 2 are, in the applicant's opinion, likely to have an interest in the variation application.
- (2) A variation application must include particulars of—
- (a) the relevant section 36 consent, and, if that consent was not granted to the applicant, how the applicant has the benefit of that consent;
  - (b) any section 90 direction given on granting the relevant section 36 consent;
  - (c) any permit, licence, consent or other authorisation (other than the relevant section 36 consent) given in connection with the construction or operation of the proposed development (a “relevant authorisation”), including any variation or replacement of a relevant authorisation; and
  - (d) any application that has been made for a relevant authorisation or variation of a relevant authorisation.
- (3) Where the applicant requests the Welsh Ministers to give a section 90 direction on varying the relevant section 36 consent, the application must—
- (a) identify the section 90 development in respect of which that request is made and describe its location by reference to a map;
  - (b) state—
    - (i) why it is proposed that the direction should be made; and
    - (ii) what account has been taken of views expressed by persons who have been consulted by the applicant about the proposed direction; and

- (c) include—
  - (i) a draft of the proposed direction; and
  - (ii) copies of any maps or plans to which it is proposed that the section 90 direction should refer which are not—
    - (aa) referred to in the relevant section 36 consent or any section 90 direction given on granting the relevant section 36 consent; or
    - (bb) included in the application in accordance with paragraph (1)(d)(ii).

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**Commencement Information**

**II** [Reg. 3](#) in force at 1.4.2019, see [reg. 1](#)

**Changes to legislation:**

There are currently no known outstanding effects for the The Electricity (Offshore Generating Stations) (Variation of Consents) (Wales) Regulations 2019, Section 3.