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WELSH STATUTORY INSTRUMENTS

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**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

## 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

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##### Further Information and Evidence

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### Further Information and Evidence: Consultation and Public Participation

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36. Reports, advice and any other information

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### Determination of Conditions

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#### *Publicity for opinions, directions, notifications etc.*

46. Publicity to be undertaken by relevant mineral planning authorities

#### *Publicity to be undertaken by the Welsh Ministers*

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47. Availability of opinions, directions, etc. for inspection
48. Information to be placed on the register
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
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PART 8

Miscellaneous

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

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SCHEDULE      Selection criteria for screening

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

SCHEDULE      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      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