
WELSH STATUTORY INSTRUMENTS

2015 No. 1330

The Town and Country Planning (Development Management Procedure) (Wales) (Amendment) Order 2015

Amendments relating to the duty to respond to consultation

7. After article 15 insert—

“Duty to respond to consultation

15A.—(1) The requirement to consult which is prescribed for the purposes of section 54(2)(b) of the 2004 Act (duty to respond to consultation) is that contained in article 14.

(2) For the purposes of section 54(4)(a) of the 2004 Act the period prescribed is 21 days beginning with the day on which—

- (a) notice referred to in article 14(4)(a) is given; or
- (b) if earlier, the date of service of a copy of the application on the consultee,

or such other period as may be agreed in writing between the consultee and the consultor.

(3) For the purposes of this article and article 15B, and pursuant to section 54(5)(c) of the 2004 Act, a substantive response is one which—

- (a) states that the consultee has no comment to make;
- (b) states that the consultee has no objection to the proposed development and refers the consultor to current standing advice by the consultee on the subject of the consultation;
- (c) advises the consultor of any concerns identified in relation to the proposed development and how those concerns can be addressed by the applicant; or
- (d) advises that the consultee objects to the proposed development and sets out the reasons for the objection.

Duty to respond to consultation: annual reports

15B.—(1) Each consultee who is, by virtue of section 54 of the 2004 Act and article 15A, under a duty to respond to consultation must give to the Welsh Ministers, not later than 1 July in each year, beginning with the 1 July 2017, a report as to that consultee’s compliance with section 54(4) of the 2004 Act.

(2) The report must relate to the period of 12 months commencing on 1 April in the preceding year (“the report year”).

(3) The report must contain, in respect of any report year, a statement as to—

- (a) the number of occasions on which the consultee was consulted;
- (b) the number of occasions on which a substantive response was provided;
- (c) when the substantive response was provided; and

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

- (d) the number of occasions on which the consultee gave a substantive response outside the period prescribed for the purposes of section 54(4) of the 2004 Act and a summary of the reasons why.