

SCHEDULE 9

Amendments to other instruments

Developments of National Significance (Procedure) (Wales) Order 2016

- 2.—(1) The 2016 Order is amended in accordance with this paragraph.
- (2) In article 2—
- (a) in the definition of “the EIA Regulations” (“*y Rheoliadau AEA*”), for “2016”, substitute “2017”; and
 - (b) in the relevant places, insert—
 - (i) ““EIA development” (“*datblygiad AEA*”) has the meaning in the EIA Regulations;”;
 - (ii) ““Schedule 1 development” (“*datblygiad Atodlen 1*”) and “Schedule 2 development” (“*datblygiad Atodlen 2*”) have the meanings in the EIA Regulations;”;
 - (iii) ““scoping direction” (“*cyfarwyddyd cwmpasu*”) has the meaning in the EIA Regulations;”;
 - (iv) ““scoping opinion” (“*barn gwmpasu*”) has the meaning in the EIA Regulations;”.
- (3) In article 18—
- (a) after paragraph (3)(b), insert—
 - “(ba) in the case of an application accompanied by an environmental statement—
 - (i) the fact that the development is subject to an environmental impact assessment procedure;
 - (ii) the environmental statement, any relevant scoping direction, and any further information or any other information;
 - (iii) in accordance with the Freedom of Information Act 2000 and the Data Protection Act 1998, the main reports and advice issued to the Welsh Ministers at the time the information is published (if any);
 - (iv) in accordance with the Environmental Information Regulations 2004⁽¹⁾, information other than that required under any other sub-paragraph which is relevant to the decision and which only becomes available after the time the information required by this paragraph was first published;
 - (v) how copies of the environmental statement may be obtained and the cost of such copies;
 - (vi) other details of the arrangements for public participation in the decision-making procedure including a description of the procedure for the publication of any additional information subsequently submitted by the applicant;
 - (vii) details of the authority responsible for taking the decision;”;
 - (b) in paragraph (3)(c), after “received”, insert “which, in the case of an application accompanied by an environmental statement, must not be before the last day of the period of 30 days beginning on the latest date on which the application has been publicised in accordance with article 18(2), (3) or 19(2)”;
 - (c) in paragraph (4), in the appropriate place, insert—

(1) S.I. 2004/3391.

Status: This is the original version (as it was originally made).

““further information” (“*gwybodaeth bellach*”) and “any other information” (“*unrhyw wybodaeth arall*”) have the same meanings as the EIA Regulations;”.

- (4) In article 19—
 - (a) in paragraph (2), for “21 days” substitute “30 days, in the case of an application accompanied by an environmental statement, and 21 days in any other case”;
 - (b) in paragraph (5), for “21 days” substitute “21 or 30 days, as appropriate.”.
- (5) In article 22(4)(b), after “21 days” insert “, or in the case of an application accompanied by an environmental statement 30 days.”.
- (6) In article 23(2)(a), for “21 days”, substitute “30 days, in the case of an application accompanied by an environmental statement and 21 days in any other case, in either case”.
- (7) In article 29, omit paragraphs (4) and (5).
- (8) In the form in Schedule 4—
 - (a) after “+The application is accompanied by an Environmental Statement”, insert “+The proposed development is likely to have significant effects in another EEA State”;
 - (b) in note j)—
 - (i) for “21” substitute “30”; and
 - (ii) after “publication”, insert “, or in the case of an application which is not required to be accompanied by an environmental statement in accordance with the EIA Regulations, that period must be 21 days”.