
WELSH STATUTORY INSTRUMENTS

2017 No. 567

**The Town and Country Planning (Environmental
Impact Assessment) (Wales) Regulations 2017**

PART 13

Miscellaneous

Revocation, saving and transitional provisions

65.—(1) The 2016 Regulations are revoked, but this is subject to paragraphs [^{F1}(2), (7) and (8)].

[^{F2}(2) The 2016 Regulations continue to have effect where before 16 May 2017—

- (a) the applicant or appellant submitted an environmental statement or requested a scoping opinion in respect of the development; or
- (b) in respect of—
 - (i) local development orders;
 - (ii) section 97 orders;
 - (iii) section 102 orders; or
 - (iv) action under section 141 of the 1990 Act,

the local planning authority, the initiating body or the applicant prepared an environmental statement or a scoping opinion or requested a scoping direction in connection with that order or action.]

(7) Parts 1 and 2 of the 2016 Regulations continue to have effect in respect of—

- (a) requests for a screening opinion or screening direction;
- (b) screening opinions adopted by the relevant planning authority; and
- (c) screening directions made by the Welsh Ministers, where, before 16 May 2017, such requests were made, or the local planning authority or the Welsh Ministers (as the case may be) initiated the making or adoption of screening opinions or screening directions.

(8) The 2016 Regulations continue to have effect for the purposes of the Town and Country Planning (Undetermined Reviews of Old Mineral Permissions)(Wales) Regulations 2009 ^{M1}.

(9) Accordingly, these Regulations (other than this regulation) do not apply in respect of development to which the 2016 Regulations continue to have effect by virtue of any of paragraphs [^{F3}(2), (7) and (8)].

(10) In this regulation—

“2016 Regulations” (“*Rheoliadau 2016*”) means the Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2016 ^{M2};

“environmental statement” (“*datganiad amgylcheddol*”), scoping direction” (“*cyfarwyddyd cwmpasu*”) and “scoping opinion” (“*barn gwmpasu*”) have the meanings in regulation 2 of the 2016 Regulations; and

“ROMP” (“*ROMP*”) and “ROMP application” (“*cais ROMP*”) have the same meaning as in regulation 55(1).

Textual Amendments

- F1** Words in [reg. 65\(1\)](#) substituted (1.4.2019) by [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/299\)](#), regs. 1(2), **2(2)(a)**
- F2** [Reg. 65\(2\)](#) substituted for [reg. 65\(2\)-\(6\)](#) (1.4.2019) by [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/299\)](#), regs. 1(2), **2(2)(b)**
- F3** Words in [reg. 65\(9\)](#) substituted (1.4.2019) by [The Town and Country Planning \(Environmental Impact Assessment\) \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/299\)](#), regs. 1(2), **2(2)(c)**

Marginal Citations

- M1** [S.I. 2009/3342](#) (W. 293) as amended by [S.I. 2003/755](#) (W. 90) and [S.I. 2016/58](#) (W. 28) see for ROMP applications made before 15 November 2000.
- M2** [S.I. 2016/58](#) (W. 28).

Changes to legislation:

There are currently no known outstanding effects for the The Town and Country Planning (Environmental Impact Assessment) (Wales) Regulations 2017, Section 65.