



Cynulliad National
Cenedlaethol Assembly for
Cymru Wales

ADRODDIAD GAN Y PWYLLGOR DEDDFAU

LEGISLATION COMMITTEE REPORT

The Town and Country Planning (Referrals and Appeals) (Written Representations Procedure) (Wales) Regulations 2003

These contain procedures for the consideration by written representations of various appeals and applications falling to be determined by the Assembly under the Town and Country Planning Act 1990 and the Planning (Listed Buildings and Conservation Areas) Act 1990.

Standing Order 11.5

There is one small drafting defect to which the Committee needs to invite the Assembly to pay special attention.

This arises in respect of the provision in regulation 2 which provides for references to section 78 of the Planning Act to include matters relating to tree preservation orders.

The reference to “applications for tree preservations orders” is not correct. It is thought that the wording should be something like –

“... as applied to applications and other matters under tree preservation orders ...”

A footnote should then be included to indicate that section 78 is applied in relation to tree preservation orders by the Town and Country Planning Trees Regulations 1999 (S.I. 1999/1892).

Such correction has been acknowledged, on behalf of the appropriate Minister, as being necessary and would be appropriate for inclusion in a memorandum of corrections.

Observations

In regulation 2, normal practice would have been to include the two “references to ...” provisions at the end of the defined terms.

Mick Bates AM
Chair, Legislation Committee

11 February 2003