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**ADRODDIAD GAN Y
PWYLLGOR DEDFAU**

**LEGISLATION COMMITTEE
REPORT**

**The Town and Country Planning (Environmental Impact Assessment)
(Amendment) (Wales) Regulations 2006**

These Regulations, which apply in relation to Wales, amend the Town and Country Planning (Environmental Impact Assessment) (England and Wales) Regulations 1999 (S.I. 1999/293) ("the 1999 Regulations") by implementing article 3 of Directive 2003/35/EC insofar as it effects public participation in the decision-making process for applications and appeals relating to development for which environmental impact assessment is required.

Standing Order 11.7

The following points have been identified under Standing Order 11.7

Regulation 25(4) of the 1999 Regulations requires an authority by whom a notice has been served to send a copy to the Assembly and to the consultation bodies. Regulation 14(a) of the present Regulations adds a third element to that requirement, to send a copy to "any particular person". Regulation 3(a) of the defines "any particular person" as including non governmental organisations promoting environmental protection. The inclusion of such organisations does not exclude other

"particular" persons, who are not defined. That is unsatisfactory when regulation 25(4) imposes a requirement to send a copy to such undefined persons. [Standing Order 11.7(v)]

Regulation 10 of these Regulations amends regulation 19 of the 1999 Regulations, which deals with "further information and evidence". For the purpose of the Welsh text of regulation 10, that has been translated as "gwybodaeth a thystiolaeth bellach", that is, as if "bellach ["further"] applied to both the information and the evidence. In fact "further information" is a defined term in regulation 19, and "evidence" is a separate concept. The correct translation would therefore be "gwybodaeth bellach a thystiolaeth". [Standing Order 11.7(v)]

These are appropriate for correction by a Memorandum of Corrections.

David Melding AM

Chair, Legislation Committee

7 November 2006