

ENVIRONMENT, PLANNING AND TRANSPORT COMMITTEE

Date: Wednesday 27 February 2002
Time: 2.00 to 4.30 pm
Venue: Committee Room 3, National Assembly Building

SITES OF SPECIAL SCIENTIFIC INTEREST – CONSULTATION PAPER ON PROCEDURES GOVERNING APPEALS – SUMMARY OF RESPONSES, FEBRUARY 2002***i. Purpose***

Report to the Committee on proposals for subordinate legislation on the procedures for handling appeals against certain actions by the Countryside Council for Wales relating to Sites of Special Scientific Interest.

ii. Summary

The consultation paper [hyperlink to Intranet at http://assembly/aegis/Subject%20Index/Environment/countryside/sssi_appregslet.htm], Annex 1, proposed the principles on regulations that will set out in legislation the procedures for handling these appeals. Overall, the response welcomed the proposals.

iii. Timing

The draft regulations are scheduled to reach Legislation Committee in March.

iv. Background

In October 2001 the National Assembly for Wales published its public consultation paper, on proposals to put the procedures governing appeals under the Wildlife and Countryside Act 1981 and the Countryside and Rights of Way Act 2000 in respect of Sites of Special Scientific Interest (SSSIs) on a statutory basis. A draft regulatory appraisal has been prepared and published on the Intranet. The circumstances in which an appeal can be made are where:-

- there is an application for consent to carry out an operation likely to damage the SSSI, or a modification/withdrawal of an existing consent;
- the Countryside Council for Wales has served a management notice under section 28K of the Wildlife and Countryside Act 1981, and
- the Countryside Council for Wales has served a stop notice under Schedule 11 of the Countryside and Rights of Way Act 2000 preventing exercise of a deemed consent.

The proposals were based on the existing procedures for dealing with planning appeals in Wales. Details were published on the Assembly's website and sent to 89 known organisations with an interest.

Eight substantive responses were received, copies of which have been deposited in the Assembly Library, and a summary will be published on the Assembly's website. Overall, the response welcomed the proposals. Some comments provided constructive suggestions about the regulations, which will be incorporated, and related procedures of the Countryside Council for Wales that will be passed on, together with some general queries about SSSI's, while others were outside the scope of this consultation.

v. Compliance

The function of making the Regulations for the procedures to determine appeals under Sections 28F and 28L of the Wildlife and Countryside Act 1981, as amended, has transferred to the Assembly.

vi. Action for subject committee

The Committee is invited to note the responses to the Consultation Paper on Procedures Governing Appeals in respect of Sites of Special Scientific Interest.

ix. Contact Point

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