

SL(5)110 – The Listed Buildings (Review of Listing Decisions) (Wales) Regulations 2017

Background and Purpose

These Regulations make provision as to the procedure relevant to reviews carried out by the Welsh Ministers in relation to their decision to include a building in a list compiled or approved under section 1 of the Planning (Listed Buildings and Conservation Areas) Act 1990.

Procedure

Negative.

Technical Scrutiny

We have identified reporting points under Standing Order 21.2(vi) in respect of the English text of this instrument.

In a few places in the Regulations, there is reference to “in paragraph” but there is no paragraph number included. This occurs in regulations 3(2), 6(2), 7(2), 11(2), 15(2) and 20(3).

The same issue occurs in respect of “under regulation” in regulation 7(2)(b).

Additionally, regulation 7(2)(b) does not read properly. This is because a new regulation 7(2)(c) should start at “confirm that copies...”. Regulation 7(2)(c) should then become 7(2)(d), and so on.

These defects were not in the draft Regulations we looked at.

We understand from our correspondence with the Welsh Government, that the hard copy version signed by the Cabinet Secretary did not contain these formatting issues, and that these only exist in the version laid. We have been told by the Welsh Government (but have not seen the original correspondence) that the SI Registrar has sanctioned a reprint of the instrument, so that it reflects the version made.



Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Legal Advisers

Constitutional and Legislative Affairs Committee

16 May 2017

