

## **Explanatory Memorandum to the Planning (Listed Building and Conservation Areas) (Amendment) (Wales) Regulations 2016**

**This Explanatory Memorandum and Regulatory Impact Assessment has been prepared by the Department for Natural Resources of the Welsh Government and is laid before the National Assembly for Wales in conjunction with the above subordinate legislation and in accordance with Standing Order 27.1.**

### **Minister's Declaration**

In my view, this Explanatory Memorandum gives a fair and reasonable view of the expected impact of The Planning (Listed Building and Conservation Areas) (Amendment) (Wales) Regulations 2016.

Carl Sargeant  
Minister for Natural Resources  
1 February 2016

## **1 Description**

- 1.1 The Planning (Listed Building and Conservation Areas) (Amendment) (Wales) Regulations 2016 will amend The Planning (Listed Building and Conservation Areas) (Wales) Regulations 2012 to correct an omission in the Welsh text.

## **2 Matters of Special Interest to the Constitutional and Legislative Affairs Committee**

- 2.1 None.

## **3 Legislative Background**

- 3.1 The Welsh Ministers, in exercise of the powers conferred on the Secretary of State by sections 10, 74, 82, and 93 of the Planning (Listed Buildings and Conservation Areas) Act 1990 and now exercisable by them<sup>1</sup>, make these Regulations. The Regulations are made using the negative procedure.

## **4 Purpose and Intended Effect of the Legislation**

- 4.1 Currently the words “an application” have been omitted from regulation 3(1) of the Welsh text, and therefore it does not correspond to the English text.
- 4.2 These Regulations will therefore correct the omission in the Welsh text of the Planning (Listed Building and Conservation Areas) (Wales) Regulations 2012.
- 4.3 As the sole purpose of the SI is to correct an error in the Welsh text of the Planning (Listed Buildings and Conservation Areas)(Wales) Regulations 2012 an RIA is not required.

## **5 Consultation**

- 5.1 No consultation has been undertaken and no representations have been received in respect of this issue. Due to the technical nature of these amending regulations no Regulatory Impact Assessment is considered necessary.

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<sup>1</sup> Functions under those sections, so far as exercisable in relation to Wales, were transferred to the National Assembly for Wales by the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). By virtue of section 162 of, and paragraph 30 of Schedule 11 to, the Government of Wales Act 2006 (c. 32), those functions are now exercisable by the Welsh Ministers.