

# Statutory Instruments with Clear Reports

05 November 2018

## SL(5)260 – The Sustainable Drainage (Approval and Adoption) (Wales) Order 2018

### **Procedure: Negative**

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This Order forms part of a suite of statutory instruments relating to sustainable drainage systems and makes provision in relation to the requirement for approval of, and requests for adoption of, such systems under Schedule 3 to the Flood and Water Management Act 2010 (c. 29).

This Order comes into force on 7 January 2019.

**Parent Act:** Flood and Water Management Act 2010

**Date Made:** 10 October 2018

**Date Laid:** 15 October 2018

**Coming into force date:** 07 January 2019

## SL(5)261 – The Sustainable Drainage (Application for Approval Fees) (Wales) Regulations 2018

### **Procedure: Negative**

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These Regulations form part of a suite of regulations that make provision in relation to sustainable drainage. They form part of the Welsh Government's objective of creating a national strategy for flood risk management in Wales.

These Regulations make provision for an approving body to charge fees in relation to applications for approval of sustainable drainage systems pursuant to Schedule 3 to the Flood and Water Management Act 2010.



**Parent Act:** Flood and Water Management Act 2010

**Date Made:** 10 October 2018

**Date Laid:** 15 October 2018

**Coming into force date:** 07 January 2018

## SL(5)263 – The Sustainable Drainage (Enforcement) (Wales) Order 2018

### Procedure: Affirmative

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This Order forms part of a suite of subordinate legislation that makes provision in relation to sustainable drainage.

This Order provides for the enforcement of a breach of the requirement for approval under paragraph 7(1) of Schedule 3 to the Flood and Water Management Act 2010 in respect of drainage systems for construction work.

**Parent Act:** Flood and Water Management Act 2010

**Date Made:**

**Date Laid:** 15 October 2018

**Coming into force date:** 07 January 2019

## SL(5)264 – The Sustainable Drainage (Appeals) (Wales) Regulations 2018

### Procedure: Affirmative

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These Regulations form part of a suite of regulations that make provision in relation to sustainable drainage. They form part of the Welsh Government's objective of creating a national strategy for flood risk management in Wales.

These Regulations provide for a right of appeal to the Welsh Ministers against a decision of an approving body under Schedule 3 to the Flood and



Water Management Act 2010 in relation to applications for approval or in relation to the duty to adopt with respect to sustainable drainage systems.

**Parent Act:** Flood and Water Management Act 2010

**Date Made:**

**Date Laid:** 15 October 2018

**Coming into force date:** 07 January 2019

## SL(5)265 – The Ecclesiastical Exemption (Listed Buildings and Conservation Areas) (Wales) Order 2018

### **Procedure: Negative**

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This Order revokes and replaces the Ecclesiastical Exemption (Listed Buildings and Conservation Areas) Order 1994 for Wales.

Section 60(1) and (2) of the Planning (Listed Buildings and Conservation Areas) Act 1990 (“the 1990 Act”) provides that ecclesiastical buildings which are for the time being used for ecclesiastical purposes are not subject to sections 3A, 4, 7 to 9, 47, 54 and 59 of the 1990 Act. This is defined in article 2 as listed buildings ecclesiastical exemption. Those sections relate to listed building control, including: building preservation notices; restrictions on works of demolition, alteration or extension; compulsory acquisition of buildings in need of repair; urgent preservation works by a local authority and the Welsh Ministers; and offences in relation to intentional damage.

Section 75 of the 1990 Act provides that ecclesiastical buildings which are for the time being used for ecclesiastical purposes are not subject to section 74 of the 1990 Act. Section 74 relates to the control of demolition of buildings in conservation areas. This is the conservation area consent ecclesiastical exemption.

This Order removes the listed buildings ecclesiastical exemption in the case of all ecclesiastical buildings other than for those cases falling within article 4. Under article 4 the exemption is retained in respect of church buildings of



the Church in Wales, the Church of England, the Roman Catholic Church, the Methodist Church, the Baptist Union of Great Britain and the Baptist Union of Wales provided that the building in question's primary use is as a place of worship and subject to the restrictions set out in that article.

**Parent Act:** Planning (Listed Buildings and Conservation Areas) Act 1990

**Date Made:** 15 October 2018

**Date Laid:** 16 October 2018

**Coming into force date:** 01 January 2019

