

2019 No. (W.)

ELECTRICITY, WALES

**The Electricity (Offshore
Generating Stations)
(Miscellaneous Amendments)
(Wales) Regulations 2019**

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the Electricity (Offshore Generating Stations) (Applications for Consent) (Wales) Regulations 2019 (“the Applications for Consent Regulations”), the Electricity (Offshore Generating Stations) (Inquiries Procedure) (Wales) Regulations 2019 (“the Inquiries Procedure Regulations”) and the Electricity (Offshore Generating Stations) (Variation of Consents) (Wales) Regulations 2019 (“the Variation of Consents Regulations”).

Regulations 2 and 3 amend the Applications for Consent Regulations and the Variation of Consents Regulations respectively. They replace references to “the Department of the Environment” in Northern Ireland to “a district council” to reflect changes made by the Planning (Northern Ireland) Act 2011 which transferred the majority of planning functions and decision making responsibilities to district councils. They also replace the term “national newspapers” with “newspapers circulating in Wales, England and Northern Ireland”.

Regulation 4 amends regulation 16 of the Inquiries Procedure Regulations to define “by local advertisement” and to prescribe when first publication of the notice of the inquiry required by regulation 16(1) must be made. Other minor amendments are made to regulation 16.

The Welsh Ministers’ Code of Practice on the carrying out of regulatory impact assessments was considered in relation to these Regulations. As a result, it was not considered necessary to carry out a regulatory impact assessment as to the likely costs and benefits of complying with these Regulations.

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(Wales) Regulations 2019**

Made 11 June 2019

Laid before the National Assembly for Wales
13 June 2019

Coming into force 5 July 2019

The Welsh Ministers, in exercise of the powers conferred on them by sections 36(8A) and 36C(2) and (6) of the Electricity Act 1989⁽¹⁾, make the following Regulations:

Title and commencement

1. The title of these Regulations is the Electricity (Offshore Generating Stations) (Miscellaneous Amendments) (Wales) Regulations 2019 and they come into force on 5 July 2019.

**Amendments to the Electricity (Offshore
Generating Stations) (Applications for Consent)
(Wales) Regulations 2019**

2.—(1) The Electricity (Offshore Generating Stations) (Applications for Consent) (Wales) Regulations 2019⁽²⁾ are amended as follows.

(1) 1989 c. 29. Section 36(8A) was inserted by section 69(1) and paragraph 47 of Schedule 6 to the Wales Act 2017 (c. 4) (“the 2017 Act”). Section 36C was inserted by section 20(1) and (2) of the Growth and Infrastructure Act 2013 (c. 27). Section 36C(6) was amended by section 39(12) of the 2017 Act. There are other amendments to section 36C which are not relevant to these Regulations.

(2) S.I. 2019/295 (W. 73).

(2) In regulation 5, in paragraphs (2) and (4), for “the Department of the Environment” substitute “any district council”.

(3) In regulation 7(1)(b), for “national newspapers” substitute “newspapers circulating in Wales, England and Northern Ireland”.

Amendments to the Electricity (Offshore Generating Stations) (Variation of Consents) (Wales) Regulations 2019

3.—(1) The Electricity (Offshore Generating Stations) (Variation of Consents) (Wales) Regulations 2019(1) are amended as follows.

(2) In regulation 2 in the definition of “relevant planning authority”, in paragraph (b), for “the Department of the Environment” substitute “a district council”.

(3) In regulation 5(5)(c), for “national newspapers” substitute “newspapers circulating in Wales, England and Northern Ireland”.

Amendments to the Electricity (Offshore Generating Stations) (Inquiries Procedure) (Wales) Regulations 2019

4.—(1) The Electricity (Offshore Generating Stations) (Inquiries Procedure) (Wales) Regulations 2019(2) are amended as follows.

(2) In regulation 16—

(a) in paragraph (1) after the word “notice” insert “by local advertisement”;

(b) after paragraph (1) insert—

“(1A) The date when the notice under paragraph (1) is first published must be not less than two weeks ending with the day before the date fixed for the beginning of the inquiry.”;

(c) omit paragraph (2);

(d) in paragraph (3) for “paragraphs (1) and (2)” substitute “paragraph (1)”.

Julie James

Minister for Housing and Local Government, one of the Welsh Ministers

11 June 2019

(1) S.I. 2019/297 (W. 75).

(2) S.I. 2019/304 (W. 77).