
WELSH STATUTORY INSTRUMENTS

2016 No. 56

The Developments of National
Significance (Wales) Regulations 2016

PART 3

Appointment and specified functions

Appointment

10.—(1) Before the end of the representation period the Welsh Ministers must appoint a person to exercise the functions prescribed in regulation 11.

(2) Subject to paragraph (3), the Welsh Ministers must notify the name of the appointed person to the applicant and the local planning authority.

(3) Where the Welsh Ministers appoint another person instead of the person previously appointed—

- (a) the name of the other person must be notified to the applicant and the local planning authority;
- (b) or, if it is not practicable to do so before any hearing or inquiry is held, the appointed person holding the hearing or inquiry must, at its commencement, announce their name and the fact of their appointment.

Commencement Information

II Reg. 10 in force at 1.3.2016, see reg. 1(2)

Specified functions

11. The following functions are prescribed for the purposes of paragraph 1 of Schedule 4D to the 1990 Act—

- (a) functions under the 2016 Order, except those under—
 - (i) article 28; and
 - (ii) article 29;
- (b) functions under the Developments of National Significance (Fees) (Wales) Regulations 2016(1), except those under regulation 12 of those Regulations;
- (c) giving notice that notification of an application has been accepted under section 62E(4) of the 1990 Act(2);

(1) S.I. 2016/ 57 (W. 27).

(2) Section 62E was inserted by section 19 of the Planning (Wales) Act 2015.

- (d) giving notice requiring a local impact report under section 62I(1)(b) and (2) of the 1990 Act⁽³⁾;
- (e) giving notice suspending the determination period or terminating, reducing or extending a period of suspension under section 62L(5) of the 1990 Act⁽⁴⁾;
- (f) notifying community councils under section 62Q(2) of the 1990 Act⁽⁵⁾;
- (g) determining as to the procedure by which proceedings are to be considered in accordance with section 319B(1) of the 1990 Act;
- (h) notifying the applicant of the determination of procedure under section 319B(5) and (5A)⁽⁶⁾ of the 1990 Act;
- (i) holding an inquiry under section 320 of the 1990 Act;
- (j) functions under these regulations—
 - (i) regulation 4 (allowing further time);
 - (ii) regulation 6 (receiving requests for pre-application services);
 - (iii) regulation 8 (pre-application services: Welsh Ministers);
 - (iv) regulation 9 (monitoring and statement of services);
 - (v) regulation 10(2) (notifying the name of the appointed person);
 - (vi) regulation 13 (determination of procedure);
 - (vii) regulation 14 (representations to be taken into account);
 - (viii) regulation 15 (further information);
 - (ix) regulation 16 (site inspections);
 - (x) regulation 21 (date and place of hearing);
 - (xi) regulation 22 (public notice of hearing);
 - (xii) regulation 23 (appointment of an assessor);
 - (xiii) regulation 24 (participation in a hearing);
 - (xiv) regulation 25 (absence, adjournment etc.);
 - (xv) regulation 27 (hearing inappropriate);
 - (xvi) regulation 32 (date and place of inquiry);
 - (xvii) regulation 34 (inquiry inappropriate);
 - (xviii) regulation 37 (procedure following quashing of a decision).

Commencement Information

I2 Reg. 11 in force at 1.3.2016, see [reg. 1\(2\)](#)

[^{F1}Specified functions: electric lines

11A. In addition to those functions prescribed by regulation 11, the following functions are prescribed for the purposes of paragraph 1 of Schedule 4D to the 1990 Act in respect of development within regulation 3(1)(ab) of the Developments of National Significance (Specified Criteria and Prescribed Secondary Consents) (Wales) Regulations 2016

(3) Section 62I was inserted by section 21 of that Act.

(4) Section 62L was inserted by section 22 of that Act.

(5) Section 62Q was inserted by section 24 of that Act.

(6) Section 319B(5A) was inserted by paragraph 20 of Schedule 4 to that Act.

- (a) functions under section 62F of the 1990 Act (developments of national significance: secondary consents);
- (b) functions under section 62J of the 1990 Act (duty to have regard to local impact report);
- (c) determining the application before the end of the determination period in accordance with section 62L(2) of the 1990 Act;
- (d) determining an application under section 70(1) of the 1990 Act;
- (e) functions under articles 28 and 29 of the 2016 Order;
- (f) functions under these regulations—
 - (i) regulation 19 (proceeding to a decision);
 - (ii) regulation 29 (determination);
 - (iii) regulation 35 (determination);
 - (iv) regulation 36(1) (notice of decision)]

F1 [Reg. 11A](#) inserted (1.4.2019) by [The Developments of National Significance \(Wales\) \(Amendment\) Regulations 2019 \(S.I. 2019/288\)](#), regs. 1, **2(3)**

Changes to legislation:

There are currently no known outstanding effects for the The Developments of National Significance (Wales) Regulations 2016, PART 3.