

Government Response: The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) (Amendment) Regulations 2025

Technical Scrutiny point 1, 2 and 3: Whilst the incorrect references, and inconsistencies in the English and Welsh text do not affect the substantive meanings, the Welsh Government accepts the points and the corrections identified in the table within this response will be made prior to the making of the Regulations.

Technical Scrutiny point 4: In the table in Part 2 of Schedule 1 to the 2015 Regulations (SI 2015/1522), all the amounts which are subject to a maximum are described as being subject to “a maximum in total” except for para 9(b) which is “subject to a maximum”. Both expressions have the same legal effect. Regulation 2ZA(4)(g) lists Part 2 of Schedule 1 as being subject to the requirement in regulation 2ZA (2) that a fee document published on the Welsh Government website must set out the amount of fees payable under regulation 2ZA(4). The latter includes the fee amounts mentioned in sub-paragraph (g), i.e., those in Part 2 of Schedule 1 to the 2015 Regulations, which includes the fee amount mentioned in para 9(b) of the table in Part 2 of Schedule 1. The effect is that all amounts mentioned in regulation 2ZA(4), including the amount in para 9(b) of the table in Part 2 of Schedule 1 are subject to the duty in regulation 2ZA (1) and (2) to publish the amount of fees on a website.

The Welsh Government accepts that the position could be clarified. The corrections identified in the table within this response will be made prior to the making of the Regulations.

Technical Scrutiny point 5: The Welsh Government accepts the point, and whilst noting that the Explanatory Memorandum refers to the relevant number of hectares, the corrections identified in the table within this response will be made prior to the making of the Regulations.

The Welsh Government notes the additional point but does not consider that the drafting requires amendment prior to the Regulations being made on the basis that amending the figures in Welsh from 2.5 to 1.2, in place of 2.5 to 1.5 also requires amending ‘fwy na 2.5’ to ‘fwy nag 1.2’. Therefore, the words “each reference to” cannot be added because of the grammatical way the Welsh version must be phrased.

Minor corrections to be made prior to making the Regulations

CORRECTIONS MADE TO THE WELSH TEXT PRIOR TO MAKING	CORRECTIONS MADE TO THE ENGLISH TEXT PRIOR TO MAKING
<p>Rheoliadau Cynllunio Gwlad a Thref (Ffioedd am Geisiadau, Ceisiadau Tybiedig ac Ymweliadau Safle) (Cymru) (Diwygio) 2025</p>	<p>The Town and Country Planning (Fees for Applications, Deemed Applications and Site Visits) (Wales) (Amendment) Regulations 2025</p>
<p>In regulation 2(3), new regulation 2ZA(2)(e) will be amended so that the reference to “ym mharagraffau (a), (c) a (d)” will be replaced with “ yn is-baragraffau (a), (c) a (d)”.</p>	<p>In regulation 2(3), new regulation 2ZA(2)(e) will be amended so that the reference to “paragraphs (a), (c) and (d)” will be replaced with “sub-paragraphs (a), (c) and (d)”.</p>
<p>N/A</p>	<p>In regulation 2(3), the new regulation 2ZA(4)(g) will be amended so that the reference to “regulation 15(1)(a) and (b) (fees for applications made under planning condition)” will be replaced with “regulation 15(1)(a) and (b) (fees for applications made under planning condition) and Part 2 of Schedule 1 (scale of fees in respect of applications made or deemed to be made)”.</p>
<p>Regulation 3(9)(e)(i) and (ii) will be amended so that “ (i) yn is-baragraff (a)” and “(ii) yn is-baragraff (b)” respectively, are replaced with “(i) ym mharagraff (a)” and “(ii) ym mharagraff (b)”.</p>	<p>Regulation 3(9)(e)(i) and (ii) will be amended so that “(i) in sub-paragraph (a)” and “(ii) in sub-paragraph (b)” respectively, are replaced with “(i) in paragraph (a)” and “(ii) in paragraph (b)”.</p>
<p>Regulation 3(10)(c), will be amended so that after the words “cyfanswm uchaf o” there is inserted “neu “uchafswm o””.</p>	<p>Regulation 3(10)(c), will be amended so that after the words “maximum in total” there is inserted “or a maximum ”.</p>
<p>Regulation 4(2)(a) will be amended so that references to “1.5 hectar” are replaced with references to “1.2 hectar”.</p>	<p>N/A</p>
<p>Minor issues such as formatting, minor changes to the explanatory note and footnotes and correcting typographical errors will also be corrected prior to making.</p>	