

*This Statutory Instrument has been made in consequence of defects in S.I. 2024/924 (W. 151), S.I. 2024/929 (W. 154) and in S.I. 2024/930 (W. 155) and is being issued free of charge to all known recipients of those Statutory Instruments.*

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W E L S H S T A T U T O R Y  
I N S T R U M E N T S

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**2024 No. 1258 (W. 211)**

**HISTORIC ENVIRONMENT,  
WALES**

**The Historic Environment  
(Miscellaneous Amendments)  
(Wales) Regulations 2024**

**EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

The Historic Environment (Wales) Act 2023 (Consequential Provision) (Secondary Legislation) Regulations 2024 made amendments to secondary legislation which are consequential on the Historic Environment (Wales) Act 2023. These Regulations make minor amendments to secondary legislation which correct errors, or clarify provision made, in those Regulations.

These Regulations also make minor amendments to the Scheduled Monuments (Partnership Agreements) (Wales) Regulations 2024 and the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024.

Regulation 2 amends the Forestry (Felling of Trees) Regulations 1979.

Regulation 3 amends the Areas of Archaeological Importance (Notification of Operations) (Exemption) Order 1984.

Regulation 4 makes amendments to the Transport and Works Applications (Listed Buildings, Conservation Areas and Ancient Monuments Procedure) Regulations 1992. They clarify the operation of the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 where an application is made under both sets of Regulations.

Regulations 5 to 7 make amendments to the following Regulations to ensure consistency between the Welsh and English texts—

- the Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009,
- the Town and Country Planning (Development Management Procedure) (Wales) Order 2012, and
- the Developments of National Significance (Procedure) (Wales) Order 2016, respectively.

Regulation 8 remakes an amendment to the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015 so that a list of primary legislation is in chronological order.

Regulation 9 clarifies an amendment to the Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017.

Regulation 10 makes amendments to the Historic Environment (Wales) Act 2023 (Consequential Provision) (Secondary Legislation) Regulations 2024 which are consequential on regulations 2 and 3 of these Regulations.

Regulation 11 amends the Welsh text of the Scheduled Monuments (Partnership Agreements) (Wales) Regulations 2024 to correct an error.

Regulation 12 amends the English text of the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024 to correct an error.

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.

*This Statutory Instrument has been made in consequence of defects in S.I. 2024/924 (W. 151), S.I. 2024/929 (W. 154) and in S.I. 2024/930 (W. 155) and is being issued free of charge to all known recipients of those Statutory Instruments.*

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**2024 No. 1258 (W. 211)**

**HISTORIC ENVIRONMENT,  
WALES**

**The Historic Environment  
(Miscellaneous Amendments)  
(Wales) Regulations 2024**

*Made* 26 November 2024

*Laid before Senedd Cymru* 29 November 2024

*Coming into force* 31 December 2024

The Welsh Ministers, in exercise of the powers conferred on them by sections 26(5)(b), 91(1) and (2), 92(2), 96, 97, 209(2), 211(3)(a) and (4) of the Historic Environment (Wales) Act 2023<sup>(1)</sup>, make the following Regulations.

**PART 1**

**Title and coming into force**

**Title and coming into force**

**1.**—(1) The title of these Regulations is the Historic Environment (Miscellaneous Amendments) (Wales) Regulations 2024.

(2) These Regulations come into force on 31 December 2024.

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(1) 2023 asc 3.

## PART 2

### Amendments

#### **The Forestry (Felling of Trees) Regulations 1979**

2. In Schedule 2 to the Forestry (Felling of Trees) Regulations 1979<sup>(1)</sup>, in paragraph (i), after “1990” insert “or under section 158 of the Historic Environment (Wales) Act 2023”.

#### **The Areas of Archaeological Importance (Notification of Operations) (Exemption) Order 1984**

3. In article 1(2) of the Areas of Archaeological Importance (Notification of Operations) (Exemption) Order 1984<sup>(2)</sup>, omit “or Wales”.

#### **The Transport and Works Applications (Listed Buildings, Conservation Areas and Ancient Monuments Procedure) Regulations 1992**

4. In Schedule 1A to the Transport and Works Applications (Listed Buildings, Conservation Areas and Ancient Monuments Procedure) Regulations 1992<sup>(3)</sup>, in paragraph 1—

- (a) in sub-paragraph (e), for the words from “after paragraph (3)” to “yw—” substitute “in regulation 6, after paragraph (5) there were inserted—

“(6) At ddiben y rheoliad hwn—

ystyr “cais cydredol” (“*concurrent application*”) yw cais a wneir o dan adran 6 o Ddeddf Trafnidiaeth a Gweithfeydd 1992, sy’n ymwneud â chynigion y mae rhoi cydsyniad adeilad rhestredig neu gydsyniad ardal gadwraeth yn ofynnol ar eu cyfer;

ystyr perchennog (“*owner*”) yw—”;

- (b) in sub-paragraph (f), for the words from “after paragraph (3)” to “means—” substitute “in regulation 6, after paragraph (5) there were inserted—

“(6) For the purposes of this regulation—

“concurrent application” (“*cais cydredol*”) means an application made under section 6 of the Transport and Works Act 1992, relating to proposals for which the granting

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(1) S.I. 1979/791, amended by S.I. 1987/632 and S.I. 2002/226; there are other amending instruments but none is relevant to these Regulations.

(2) S.I. 1984/1286.

(3) S.I. 1992/3138, amended by S.I. 2024/930 (W. 155); there are other amending instruments but none is relevant to these Regulations.

of listed building consent or conservation consent is required;

“owner” (“*perchennog*”) means—”;

- (c) in sub-paragraph (i)(iii), in inserted paragraph (5), for the words from “ystyr “cais cydredol”” to the end, substitute “mae i “cais cydredol” yr un ystyr ag yn rheoliad 6.”;
- (d) in sub-paragraph (j)(iii), in inserted paragraph (5), for the words from “means” to the end substitute “has the same meaning as in regulation 6.”

#### **The Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009**

5. In regulation 2(1) of the Town and Country Planning (Environmental Impact Assessment) (Undetermined Reviews of Old Mineral Permissions) (Wales) Regulations 2009<sup>(1)</sup>, in the Welsh text, in sub-paragraph (dd) of the definition of “ardal sensitif”, for “yn yr ystyr a roddir i “scheduled monument” yn” substitute ““o fewn ystyr”.

#### **The Town and Country Planning (Development Management Procedure) (Wales) Order 2012**

6. In Schedule 4 to the Town and Country Planning (Development Management Procedure) (Wales) Order 2012<sup>(2)</sup>, in the Welsh text, after the table, under the heading “Dehongli’r Tabl”, in paragraph (h)(i), for “yr ystyr a roddir i “scheduled monument”” substitute “(“*scheduled monument*”) yr un ystyr ag”.

#### **The Developments of National Significance (Procedure) (Wales) Order 2016**

7. In Schedule 5 to the Developments of National Significance (Procedure) (Wales) Order 2016<sup>(3)</sup>, in the Welsh text, after the table, under the heading “Dehongli’r Tabl”, in paragraph (d)(i), for “yr un ystyr ag a roddir i “scheduled monument”” substitute “(“*scheduled monument*”) yr un ystyr ag”.

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(1) S.I. 2009/3342 (W. 293), amended by S.I. 2024/924 (W. 151); there are other amending instruments but none is relevant to these Regulations.

(2) S.I. 2012/801 (W. 110); relevant amendments are in S.I. 2016/59 (W. 29) and S.I. 2024/924 (W. 151).

(3) S.I. 2016/55 (W. 25); relevant amendments are in S.I. 2019/290 (W. 68) and S.I. 2024/924 (W. 151).

**The Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015**

8. In Part 2 of Schedule 2 to the Infrastructure Planning (Interested Parties and Miscellaneous Prescribed Provisions) Regulations 2015(1)—

- (a) omit the entry for the Historic Environment (Wales) Act 2023 and the text in the corresponding column;
- (b) after the entry for the Countryside and Rights of Way Act 2000, insert—

*“Historic Environment (Wales) Act 2023* A consent under section 12 and Schedule 3 (authorisation of classes of works)  
A consent under section 13 (authorisation of works by scheduled monument consent)”.

**The Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017**

9. In regulation 4A of the Town and Country Planning (Referred Applications and Appeals Procedure) (Wales) Regulations 2017(2)—

- (a) for “regulations 4” substitute “regulation 4”;
- (b) for “and 5” substitute “and regulation 5”.

**The Historic Environment (Wales) Act 2023 (Consequential Provision) (Secondary Legislation) Regulations 2024**

10. In the Historic Environment (Wales) Act 2023 (Consequential Provision) (Secondary Legislation) Regulations 2024(3), omit regulations 2 and 6, and the italic headings before them.

**The Scheduled Monuments (Partnership Agreements) (Wales) Regulations 2024**

11. In regulation 3(5)(b) of the Scheduled Monuments (Partnership Agreements) (Wales) Regulations 2024(4), in the Welsh text, for “fuddiant” substitute “ddiddordeb”.

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(1) S.I. 2015/462, amended by S.I. 2024/924 (W. 155); there are other amending instruments but none is relevant to these Regulations.  
(2) S.I. 2017/544 (W. 121), amended by S.I. 2024/924 (W. 155).  
(3) S.I. 2024/924 (W. 151).  
(4) S.I. 2024/929 (W. 154).

**The Listed Buildings and Conservation Areas  
(Procedure and Interest Rate) (Wales) Regulations  
2024**

12. In Schedule 2 to the Listed Buildings and Conservation Areas (Procedure and Interest Rate) (Wales) Regulations 2024<sup>(1)</sup>, in the English text, in paragraph 6—

- (a) in the words before sub-paragraph (a), omit “that the building and the associated land”;
- (b) at the beginning of paragraph (a), insert “that the building and the associated land”;
- (c) at the beginning of paragraph (b), insert “that the building and the associated land”.

*Jack Sargeant*

Minister for Culture, Skills and Social Partnership,  
under the authority of the Cabinet Secretary for  
Economy, Energy and Planning, one of the Welsh  
Ministers

26 November 2024

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<sup>(1)</sup> S.I. 2024/930 (W. 155).