

SL(5)262 – The Sustainable Drainage (Approval and Adoption Procedure) (Wales) Regulations 2018

Background and Purpose

These Regulations form part of a suite of statutory instruments relating to sustainable drainage systems and the provisions of Schedule 3 to the Flood and Water Management Act 2010 (c. 29).

These Regulations make provision:

- for procedure in relation to the determination, by approving bodies, of applications for approval and adoption of sustainable drainage systems and ancillary matters; and
- in respect of statutory works on public land which may have an effect on such systems.

These Regulations come into force on 7 January 2019.

Procedure

Negative.

Technical Scrutiny

One point is identified for reporting under Standing Order 21.2 in respect of this instrument.

1. Standing Order 21.2(vi) - that its drafting appears to be defective or it fails to fulfil statutory requirements

Regulation 13 defines a “statutory undertaker” as a person entitled to carry out statutory works on public land under a provision of an enactment listed in Regulation 16 of these Regulations. However, Regulation 16 does not list any enactments.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Implications arising from exiting the European Union

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Government Response

Regulation 13 should refer to regulation 14, rather than regulation 16. This is a typo, which we will seek to address by way of correction slip.

Legal Advisers

Constitutional and Legislative Affairs Committee

29 October 2018

