WELSH STATUTORY INSTRUMENTS

2007 No. 117 (W.8)

ENVIRONMENTAL PROTECTION, WALES

The Statutory Nuisances (Miscellaneous Provisions) (Wales) Regulations 2007

Made - - - -	*23 January 2007*
Coming into force - -	*31 January 2007*

The National Assembly for Wales being the appropriate person for the purposes of section 79(7C)(d) of the Environmental Protection Act 1990 ("the 1990 Act")(**1**), makes the following Regulations in exercise of those powers and in exercise of the powers conferred upon the Secretary of State and which are now exercisable by the National Assembly for Wales, under paragraph 1(4) of Schedule 3 to that Act(**2**):

Title, commencement and application

1.—(1) The title of these Regulations is the Statutory Nuisances (Miscellaneous Provisions) (Wales) Regulations 2007.

(2) These Regulations come into force on 31 January 2007.

(3) These Regulations apply in relation to Wales.

"Relevant industrial etc. premises": further exclusions

2. For the purposes of paragraph (d) of section 79(7C) of the 1990 Act, there is prescribed land of a description mentioned in the first column of the Table in the Schedule to these Regulations.

Amendment of the Statutory Nuisance (Appeals) Regulations 1995

3.—(1) Regulation 2 (appeals under section 80(3) of the 1990 Act) of the Statutory Nuisance (Appeals) Regulations 1995(**3**) is amended as follows.

(2) In paragraph (2)(e)—

(**1**) 1990 c. 43; the definition of "appropriate person" in section 79(7) was inserted by section 101(4) of the Clean Neighbourhoods and Environment Act 2005 (c. 16), and section 79(7C) was inserted by section 101(5) of that Act.

(**2**) The relevant functions of the Secretary of State in relation to Wales were transferred to the National Assembly for Wales by article 2(a) of, and Schedule 1 to, the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672).

(**3**) S.I. 1995/2644; the Regulations extend to England and Wales, and were made by the Secretary of State for the Environment as respects England, and the Secretary of State for Wales as respects Wales.

(a) in paragraph (i), after "(f)" insert ", (fa)"(**4**);

(b) after paragraph (iii) insert—

"or

(iv) is a nuisance falling within section 79(1)(fb) of the 1990 Act and—

(aa) the artificial light is emitted from industrial, trade or business premises, or

(bb) the artificial light (not being light to which sub-paragraph (aa) applies) is emitted by lights used for the purpose only of illuminating an outdoor relevant sports facility (within the meaning given by section 80(8A) of the 1990 Act),"(**5**).

Signed on behalf of the National Assembly for Wales under section 66(1) of the Government of Wales Act 1998(**6**)

D. Elis-Thomas
The Presiding Officer of the National Assembly

23 January 2007

(**4**) Section 79(1)(fa) of the 1990 Act was inserted by section 101(2) of the Clean Neighbourhoods and Environment Act 2005 (c. 16).

(**5**) Section 79(1)(fb) of the 1990 Act was inserted by section 102(2) of the Clean Neighbourhoods and Environment Act 2005 (c. 16). Section 80(80A) was inserted by section 102(3) of the Clean Neighbourhoods and Environment Act 2005.

(**6**) 1998 c. 38.