
STATUTORY INSTRUMENTS

2017 No. 583

**The Water Resources (Environmental Impact Assessment)
(England and Wales) (Amendment) Regulations 2017**

Amendment to regulation 8

11.—(1) Regulation 8 (determination of application and notice of determination) is amended as follows.

(2) In paragraph (2)—

(a) for the words from “the environmental statement” to the end substitute—

“(ensuring that in doing so it has, or has access to, any expertise it considers necessary)—

- (a) the conclusion reached under regulation 7A(2);
- (b) whether it is appropriate to require the applicant to monitor the significant adverse effects of the relevant project on the environment, and if so—
 - (i) whether the authorisation should contain provisions to ensure that the applicant is under such a duty; and
 - (ii) whether the authorisation should contain provisions to require remedial action to be taken in circumstances described in the authorisation; and
- (c) whether, having regard to the likely significant environmental effects of the relevant project, the authorisation should contain provisions for any other purpose.”.

(3) After paragraph 2 insert—

“(2A) The appropriate authority may grant the authorisation only if satisfied that the conclusion reached under regulation 7A(2) in respect of the relevant project and the reasons for it address the likely significant environmental effects of the relevant project.”.

(4) For paragraph (3)(1) substitute—

“(3) Within a period of twenty-eight days beginning with the date of the determination of the application the appropriate authority shall—

- (a) give notice in writing to the applicant and consultation bodies; and
- (b) publish a notice on its website and in the newspaper or newspapers in which the notice was published under regulation 7(1),

stating that the appropriate authority has granted or refused the application and stating a place and times where any person may inspect the information referred to in paragraph (3A).

(3A) The information is—

- (a) any relevant authorisation or variation;
- (b) a document containing the determination and the reasons for it, including a summary of—
 - (i) the environmental statement;

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- (ii) the results of any representations the appropriate authority receives under regulation 7(1)(e) or (4); and
- (iii) how the information referred to in sub-paragraphs (i) and (ii) has been taken into account;
- (c) a description, where necessary, of any features of the relevant project or measures to avoid, reduce or offset any likely significant adverse effect of the relevant project on the environment; and
- (d) information about any right to challenge the determination and the procedures for doing so.”.

Commencement Information

II Reg. 11 in force at 16.5.2017, see [reg. 1\(1\)](#)

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Changes and effects yet to be applied to :

- Regulations revoked by [2023 c. 28 Sch. 1 Pt. 1](#)