

Status: Point in time view as at 31/03/2023.

Changes to legislation: Harbours Act 1964, Cross Heading: Reasoned conclusion about environmental impact is up to date with all changes known to be in force on or before 18 August 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details)

SCHEDULES

[^{F1}SCHEDULE 3

PROCEDURE FOR MAKING HARBOUR REVISION AND EMPOWERMENT ORDERS

Textual Amendments

- F1** Sch. 3 substituted (1.2.2000) by [The Harbour Works \(Environmental Impact Assessment\) Regulations 1999 \(S.I. 1999/3445\)](#), reg. 15(4), **Sch. 3**

Modifications etc. (not altering text)

- C1** Sch. 3 modified (1.4.2001) by [2000 c. 38, s. 37, Sch. 5 para. 1\(2\)\(j\)](#) (with s. 106); [S.I. 2001/869, art.2](#)
- C1** Sch. 3: transfer of functions (1.4.2018) by [Wales Act 2017 \(c. 4\), ss. 29\(2\)\(b\)\(ii\), 71\(4\)](#) (with [Sch. 7 paras. 1, 6, 9](#)); [S.I. 2017/1179, reg. 3\(g\)](#) (with transitional provisions and savings in [S.I. 2018/278, reg. 2, Sch.](#))

PART I

ORDERS MADE ON APPLICATION TO THE SECRETARY OF STATE

[^{F2}Reasoned conclusion about environmental impact

Textual Amendments

- F2** Sch. 3 para. 18A and cross-heading inserted (5.12.2017) by [The Environmental Impact Assessment \(Miscellaneous Amendments Relating to Harbours, Highways and Transport\) Regulations 2017 \(S.I. 2017/1070\)](#), reg. 1(1), **Sch. 1 para. 8(17)** (with [Sch. 6 paras. 2\(2\), 3\(3\)](#))

- 18A. (1) This paragraph applies where an EIA application is made.
- (2) The Secretary of State must consider—
- the environmental statement relating to the project,
 - any information supplied in pursuance of a direction under paragraph 8A in relation to the project,
 - any information about the project made available on an official website under paragraph 10ZB,
 - the results of any consultations under paragraph 15 or 16(6)(a) in relation to the project,
 - any opinion about the project which is sent under paragraph 16(5)(b),
 - any relevant objections made about the project and not withdrawn,
 - any relevant representations about the project made in accordance with a notice published under paragraph 10 or 10A,
 - where an inquiry or hearing relating to the project is held under paragraph 18, any relevant report of the person who held the inquiry or person appointed

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- for the purpose of hearing the objector, or any relevant part of such a report,
and
- (i) any features of the project or measures envisaged to avoid, prevent or reduce, and, if possible, offset any likely significant adverse effects of the project on the environment.
 - (3) For the purposes of sub-paragraph (2), an objection, representation, report or part of a report is “relevant” if it concerns the likely significant effects of the project on the environment.
 - (4) Following the consideration required by sub-paragraph (2), the Secretary of State must reach a reasoned conclusion about the likely significant effects of the project on the environment.
 - (5) The Secretary of State must obtain such expert advice as appears to the Secretary of State to be necessary for the purposes of considering the environmental statement.]]

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