



Environment Act 1995

1995 CHAPTER 25

PART I

THE ENVIRONMENT AGENCY AND THE SCOTTISH ENVIRONMENT PROTECTION AGENCY

CHAPTER III

MISCELLANEOUS, GENERAL AND SUPPLEMENTAL PROVISIONS RELATING TO THE NEW AGENCIES [^{F1}AND THE NATURAL RESOURCES BODY FOR WALES]

Supplemental provisions

53 Inquiries and other hearings.

- (1) Without prejudice to any other provision of this Act or any other enactment by virtue of which an inquiry or other hearing is authorised or required to be held, the appropriate Minister may cause an inquiry or other hearing to be held if it appears to him expedient to do so—
- (a) in connection with any of the functions of a new Agency; or
 - (b) in connection with any of his functions in relation to a new Agency.

- [^{F1}(1A) Without prejudice to any other provision of this Act or any other enactment by virtue of which an inquiry or other hearing is authorised or required to be held, the Welsh Ministers may cause an inquiry or other hearing to be held if it appears to them expedient to do so—
- (a) in connection with any of the relevant environmental functions of the Natural Resources Body for Wales; or
 - (b) in connection with any of their functions in relation to the relevant environmental functions of that Body.]

- (2) Subsections (2) to (5) of section 250 of the ^{M1}Local Government Act 1972 (which contain supplementary provisions with respect to local inquiries held in pursuance of

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Changes to legislation: Environment Act 1995, Section 53 is up to date with all changes known to be in force on or before 17 July 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)

that section) shall apply to inquiries or other hearings under this section or any other enactment—

- (a) in connection with any of the functions of the Agency [^{F2}or any of the relevant environmental functions of the Natural Resources Body for Wales], or
- (b) in connection with any functions of the Secretary of State or the Minister in relation to the Agency [^{F3}or any functions of the Welsh Ministers in relation to the relevant environmental functions of the Natural Resources Body for Wales],

as they apply to inquiries under that section, but taking the reference in subsection (4) of that section to a local authority as including a reference to the Agency [^{F4}or, as the case may be, the Natural Resources Body for Wales].

- (3) The provisions of subsections (2) to (8) of section 210 of the ^{M2}Local Government (Scotland) Act 1973 (which relate to the holding of local inquiries) shall apply to inquiries or other hearings held under this section or any other enactment—
 - (a) in connection with any of the functions of SEPA, or
 - (b) in connection with any functions of the Secretary of State in relation to SEPA, as they apply to inquiries held under that section.

[^{F5}(4) In subsections (1) and (3) above, “enactment” includes an enactment comprised in, or in an instrument made under, an Act of the Scottish Parliament.]

[^{F6}(4) In this section, “relevant environmental functions” means—

- (a) pollution control functions (within the meaning of section 5); and
- (b) any functions relating to water resources, flood and coastal erosion risk management or fisheries.]

Textual Amendments

- F1** S. 53(1A) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 374(2)** (with Sch. 7)
- F2** Words in s. 53(2)(a) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 374(3)(a)** (with Sch. 7)
- F3** Words in s. 53(2)(b) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 374(3)(b)** (with Sch. 7)
- F4** Words in s. 53(2) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 374(3)(c)** (with Sch. 7)
- F5** S. 53(4) added (S.) (30.6.2014) by [Regulatory Reform \(Scotland\) Act 2014 \(asp 3\)](#), s. 61(2), **sch. 3 para. 43(8)**; S.S.I. 2014/160, art. 2(1)(2)
- F6** S. 53(4) inserted (1.4.2013) by [The Natural Resources Body for Wales \(Functions\) Order 2013 \(S.I. 2013/755\)](#), art. 1(2), **Sch. 2 para. 374(4)** (with Sch. 7)

Modifications etc. (not altering text)

- C1** S. 53(1)(a): transfer of functions (with effect in accordance with art. 1(3) of the amending S.I.) by [The Natural Resources Body for Wales \(Consequential Provision\) Order 2013 \(S.I. 2013/1821\)](#), arts. 1(2), **9(2)** (with art. 24)
- C2** S. 53(1)(b) functions cease to be exercisable (with effect in accordance with art. 1(3) of the amending S.I.) by [The Natural Resources Body for Wales \(Consequential Provision\) Order 2013 \(S.I. 2013/1821\)](#), arts. 1(2), **9(1)** (with art. 24)
- C3** S. 53(2): transfer of functions (with effect in accordance with art. 1(3) of the amending S.I.) by [The Natural Resources Body for Wales \(Consequential Provision\) Order 2013 \(S.I. 2013/1821\)](#), arts. 1(2), **9(2)** (with art. 24)

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Marginal Citations

M1 1972 c. 70.

M2 1973 c. 65.

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