



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 6

ENVIRONMENTAL OUTCOMES REPORTS

General

162 Public consultation etc

- (1) An appropriate authority must consult the public before making EOR regulations which contain provision—
 - (a) under [section 152\(1\)](#) (specified environmental outcomes);
 - (b) amending, repealing or revoking relevant existing environmental assessment legislation.
- (2) An appropriate authority must consult such persons as the appropriate authority considers appropriate—
 - (a) before making EOR regulations which contain provision under—
 - (i) [section 154\(1\)](#) to [\(6\)](#) (consents and plans subject to this Part);
 - (ii) [section 159\(2\)](#) (power to provide for further exemptions by Secretary of State direction);
 - (iii) [section 160](#) (enforcement);
 - (iv) [section 164](#) (interaction with existing environmental assessment legislation and the Habitats Regulations);
 - (b) before issuing, modifying or withdrawing any guidance under [section 163](#), which relates to—
 - (i) how the likely impact of a proposed relevant consent or proposed relevant plan on the delivery of a specified environmental outcome should be assessed, or
 - (ii) how the extent to which a relevant consent or relevant plan actually affects the delivery of a specified environmental outcome should be assessed or monitored.

Changes to legislation: There are currently no known outstanding effects for the
Levelling-up and Regeneration Act 2023, Section 162. (See end of Document for details)

- (3) EOR regulations may require a public authority to respond, or to respond in a particular way or by a particular time, to a consultation under [subsection \(1\)](#) or [\(2\)](#).
- (4) The requirements to consult in subsections [\(1\)](#) and [\(2\)](#) may be met by consultation carried out before the subsection concerned comes into force.

Commencement Information

II [S. 162](#) in force at 26.12.2023, see [s. 255\(5\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 162.