
STATUTORY INSTRUMENTS

2017 No. 588

The Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2017

Amendment of regulation 23

23.—(1) Regulation 23 (notification and publication of decisions) is amended as follows.

(2) In the heading, after “of”, insert “EIA consent”.

(3) In paragraph (1), after “The appropriate authority must”, insert “as soon as reasonably possible”.

(4) For paragraphs (2) and (3)(1) substitute—

“(2) The written confirmation must include the following—

(a) a statement which includes—

(i) the main reasons and considerations on which the EIA consent decision is based including, if relevant, information about the participation of the public; and

(ii) a summary of the results of the consultations undertaken, and information gathered, in respect of the application and how those results (in particular, in circumstances where regulation 20 applies, the comments received from an EEA State pursuant to consultation under that regulation) have been incorporated or otherwise addressed;

(b) if the EIA consent decision is to grant EIA consent—

(i) the conclusion referred to in regulation 21A(2); and

(ii) any conditions attached to the EIA consent decision pursuant to regulation 22(1)(c) to (e), including any mitigating or monitoring measures; and

(c) if the EIA consent decision is to refuse EIA consent, the main reasons for the refusal.

(3) The appropriate authority must, as soon as possible after written confirmation is sent to the applicant pursuant to paragraph (1), ensure that—

(a) notice of its EIA consent decision is published—

(i) on the appropriate authority’s website;

(ii) in those newspapers or other publications where the application was published under regulation 16(1)(b)(i); and

(iii) in such other manner (if any) as the appropriate authority considers appropriate; and

(b) it promptly makes available for public inspection the information referred to in paragraph (2).”.

(5) After paragraph (3), insert—

“(4) In paragraph (3)(b), “public inspection” means:

- (a) in the case of an activity requiring regulatory approval under the 1985 Act or the 2009 Act, inspection on the relevant Public Register; and
- (b) in the case of other regulated activities, inspection at the address nominated under regulation 16(2)(e).

(5) The notice in paragraph (3)(a) must state the times at which the relevant Public Register or information may be inspected at the address nominated under regulation 16(2)(e).”.