
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations amend the requirements of the Environmental Assessment of Plans and Programmes Regulations 2004 (“the SEA Regulations”).

The SEA Regulations implement [Directive 2001/42/EC](#) of the European Parliament and Council on the assessment of the effects of certain plans and programmes on the environment (“the SEA Directive”), as regards plans and programmes relating solely to any part of England. For this purpose, England is treated as including any territorial waters of the United Kingdom that are not within Northern Ireland, Scotland or Wales, and waters in areas for the time being designated under the Continental Shelf Act 1964. The SEA Regulations also implement the SEA Directive as regards plans and programmes relating to England and any other part of the United Kingdom. The SEA Regulations do not apply to plans and programmes relating exclusively to Northern Ireland, Scotland or Wales, for which separate provisions implement the SEA Directive.

Regulation 2 of these Regulations inserts a new regulation 18 into the SEA Regulations. New regulation 18 makes temporary modifications to regulations 11, 13, 15 and 16 of the SEA Regulations which are needed due to the effect of coronavirus, including restrictions on movement.

The modifications remove the requirement on the responsible authority to make documents available for public inspection at the authority’s principal office and replaces this with a requirement that the same documents are available for inspection on a website. The modifications also amend the requirements on the responsible authority (or the Secretary of State as the case may be) to notify persons of the address where the documents may be inspected, replacing this with a requirement to notify persons of a website address. The modifications remove the requirement to notify persons that a copy of documents may be obtained from an address.

The modifications apply during the period beginning with 16th July 2020 and ending with 31st December 2020.

A full impact assessment has not been produced for this instrument as no, or no significant, impact on the private or voluntary sector is foreseen.

These Regulations were notified to the European Commission in accordance with Article 13 of [Directive 2001/42/EC](#) on the assessment of the effects of certain plans and programmes on the environment and in line with the EU Withdrawal Agreement between the EU and the UK.