

Changes to legislation: Harbours Act 1964, Paragraph 8 is up to date with all changes known to be in force on or before 19 March 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) View outstanding changes

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.](#))
- C1** [Sch. 3](#): power to amend or repeal conferred for specified purposes (26.12.2023) by [Levelling Up and Regeneration Act 2023 \(c. 55\), ss. 164\(3\), 255\(5\), Sch. 14 Pts. 1, 2](#) (with s. 247)

PART I

ORDERS MADE ON APPLICATION TO THE SECRETARY OF STATE

The application

- [^{F2}8 (1) If an applicant makes an EIA application, the applicant must—
- (a) supply the Secretary of State with an environmental statement, and
 - (b) if directed to do so by the Secretary of State, supply the Secretary of State with such number of copies of the statement as is specified in the direction.
- (2) In this Part of this Schedule, “environmental statement” means a statement which—
- (a) is prepared by competent experts,
 - (b) includes the information which, taking into account current knowledge and methods of assessment, may reasonably be required by the Secretary of State to reach a reasoned conclusion under paragraph 18A(4) and in particular, the information specified in sub-paragraph (3),
 - (c) is based on the opinion given under paragraph 6(2)(c), and
 - (d) with a view to avoiding duplication of assessments, takes into account the results of any relevant environmental assessment which are reasonably available to the applicant.
- (3) The specified information is—
- (a) a description of the site, design, size and any other relevant features of the project,
 - (b) a description of the likely significant effects of the project on the environment,

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- (c) a description of 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,
 - (d) a description of the reasonable alternatives studied by the applicant, which are relevant to the project and its specific characteristics, and an indication of the main reasons for the option chosen, taking into account the likely effects of the project on the environment,
 - (e) a non-technical summary of the information mentioned in paragraphs (a) to (d), and
 - (f) any additional information [^{F3}of a type] specified in Annex IV to the EIA Directive (information for the environmental impact assessment report) relevant to the specific characteristics of the project or type of project and to the environmental features likely to be affected.
- (4) The environmental statement must be accompanied by a statement from the applicant setting out the relevant expertise or qualifications of the experts who prepared the environmental statement.
- (5) The Secretary of State may specify the form in which, or means by which, an environmental statement, a statement under sub-paragraph (4) or a copy of an environmental statement, is to be provided (and may specify different forms or means for different documents).]]

Textual Amendments

- F2** Sch. 3 paras. 8-8B substituted for Sch. 3 para. 8 (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(10)** (with Sch. 6 paras. 2(2), 3(3))
- F3** Words in Sch. 3 para. 8(3)(f) inserted (31.12.2020) by [The Harbours and Highways \(Environmental Impact Assessment\) \(Amendment\) \(EU Exit\) Regulations 2020 \(S.I. 2020/460\)](#), regs. 1, **2(4)(g)**

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act modified by [2023 c. 8 s. 9\(7\)](#)