
STATUTORY INSTRUMENTS

2007 No. 1067

The Environmental Impact Assessment and Natural
Habitats (Extraction of Minerals by Marine Dredging)
(England and Northern Ireland) Regulations 2007

PART 7

GENERAL

Register

- 26.**—(1) The regulator shall keep a register containing the information specified in paragraph (2).
- (2) The register shall contain a copy, either in photographic or electronic form or both, of—
- (a) each determination made by the Secretary of State under regulation 5(2);
 - (b) each determination made by the regulator under regulation 5(4);
 - (c) each application for a preliminary determination under regulation 6(1);
 - (d) each preliminary determination made by the regulator in response to an application under regulation 6(1);
 - (e) each opinion given by the regulator under regulation 7(2);
 - (f) each application for permission to carry out dredging made to the regulator under regulation 10(1), including any environmental statement, and any accompanying plans and drawings;
 - (g) any further information supplied in response to a request under regulation 11(2), or any other information supplied by the applicant;
 - (h) each notice published under regulation 12(1);
 - (i) any reports and advice which are issued to the regulator in relation to any application under these Regulations;
 - (j) each determination made by the regulator under regulation 13(1);
 - (k) any information supplied by an applicant under regulation 13(2);
 - (l) each decision of the regulator in relation to an application under regulation 13(6), including a copy of the report of any person appointed under regulation 13(4) in respect of the application, details of any conditions subject to which permission was granted and the date of the decision;
 - (m) each approval of a transfer given under regulation 16(2), including a copy of any conditions subject to which the approval was given;
 - (n) each application for a variation of a permission made under regulation 18(1);
 - (o) any information provided by the applicant, or decision, determination or opinion of the regulator in relation to an application to vary a permission to carry out dredging, under any

- regulation which is applied to an application under regulation 18(1) by regulation 19(1)(b) or regulation 19(3);
- (p) each determination made by the regulator under regulation 18(3);
 - (q) any information provided by an applicant for a variation under regulation 20(2);
 - (r) each decision made by the regulator under regulation 20(8) in relation to a proposed variation, including a copy of the report of any person appointed under regulation 20(6) in respect of the application, details of any conditions subject to which the variation was granted and the date of the decision;
 - (s) each notice served by the regulator under regulation 21(3)(a);
 - (t) any information provided by the owner or holder of a permission in response to a request under regulation 21(3)(b);
 - (u) the report of any person appointed under regulation 21(10);
 - (v) each decision made by the regulator under regulation 21(11);
 - (w) each notice served by the regulator under regulation 21(12);
 - (x) the order of any court in any legal proceedings in respect of an offence under these Regulations;
 - (y) any information supplied by an applicant under paragraph 2(2) of Schedule 3;
 - (z) any information provided by the owner or holder of a permission under paragraph 3(4) of Schedule 3;
 - (aa) each decision made by the regulator to affirm, revoke or vary a permission under paragraph 3(5) of Schedule 3;
 - (bb) each notice served by the regulator under paragraph 4(1) of Schedule 3;
 - (cc) each notice served by the regulator under paragraph 5(1) or (5) of Schedule 3;
 - (dd) each decision made by the regulator in respect of a review under paragraph 5(4) of Schedule 3, including a copy of the report of any person appointed under paragraph 5(3) of that Schedule in respect of the review, and the date of the decision;
 - (ee) any statement of reasons accompanying any of the above;
 - (ff) any monitoring scheme, report or other information submitted to the regulator under a condition to which permission to carry out dredging, or consent to a transfer of a permission under regulation 16, was made subject;
 - (gg) any representation made or information provided to the regulator by any person or body, and in particular another regulator, an EEA state, the National Assembly for Wales or Scottish Ministers, in connection with any function performed or to be performed by the regulator under these Regulations; and
 - (hh) the order of any court in any legal proceedings in which the validity of any approval, decision, determination, opinion or other action of the regulator under these Regulations was questioned.
- (3) The register shall include an index.
- (4) The register shall be available for inspection by the public at all reasonable hours, by prior appointment.
- (5) Where the register is kept using electronic storage, the regulator may also make the register available for inspection by the public on a website maintained by the regulator for that purpose.
- (6) On request by any member of the public and on payment of a reasonable fee, the regulator shall provide a copy of any document entered on the register.
- (7) Except where paragraph (8) applies, an entry in the register shall be made within 28 days of—

- (a) the receipt by the regulator of any application, representation, information, scheme, report or order;
 - (b) the giving or making of the relevant approval, decision, determination or opinion, or the issuing of the relevant notice.
- (8) Where the regulator is of the view that making an entry in the register in accordance with paragraph (7) may prejudice the fairness or speed of the process of the giving or making of any approval, decision, determination or opinion under these Regulations, the entry shall be made as soon as practicable after the approval, decision, determination or opinion has been made or given.