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STATUTORY INSTRUMENTS

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**1990 No. 442**

**The Electricity and Pipe-line Works (Assessment of Environmental Effects) Regulations 1990**

**Prohibition of grant of consent or authorisation without consideration of environmental information**

3.—(1) Subject to paragraph (2), the Secretary of State shall not grant—

- (a) a section 36 consent;
- (b) a section 37 consent; or
- (c) a pipe-line authorisation,

unless the Secretary of State shall first have taken the environmental information into consideration.

(2) In relation to—

- (a) an application for consent falling within paragraph (1)(a) to construct a non-nuclear generating station with a heat output of less than 300 megawatts, or to extend a non-nuclear generating station which, after completion of the works of extension, will have a heat output of less than 300 megawatts; or
- (b) an application for consent or authorisation falling within paragraph (1)(b) or (1)(c),

an environmental statement shall be required only where, in relation to the application, the Secretary of State determines that in his opinion the proposed development would be likely to have significant effects on the environment by virtue of factors such as its nature, size or location.