
STATUTORY INSTRUMENTS

2011 No. 1824

The Town and Country Planning (Environmental
Impact Assessment) Regulations 2011

PART 6

Availability of Directions etc and Notification of Decisions

Availability of opinions, directions etc for inspection

23.—(1) Where particulars of a planning application or of a subsequent application are placed on Part 1 of the register, the relevant planning authority shall take steps to secure that there is also placed on that Part a copy of any relevant—

- (a) screening opinion;
- (b) screening direction;
- (c) scoping opinion;
- (d) scoping direction;
- (e) notification given under regulation 10(1), 11(2) or 12(4);
- (f) direction under regulation 4(4);
- (g) environmental statement, including any further information and any other information;
- (h) statement of reasons accompanying any of the above.

(2) Where the relevant planning authority adopt a screening opinion or scoping opinion, or receive a request under regulation 13(1) or 14(1), a copy of a screening direction, scoping direction, or direction under regulation 4(4) before an application is made for planning permission or subsequent consent for the development in question, the authority shall take steps to secure that a copy of the opinion, request, or direction and any accompanying statement of reasons is made available for public inspection at all reasonable hours at the place where the appropriate register (or relevant section of that register) is kept. Copies of those documents shall remain so available for a period of 2 years.

Duties to inform the public and the Secretary of State of final decisions

24.—(1) Where an EIA application is determined by a local planning authority, the authority shall—

- (a) in writing, inform the Secretary of State of the decision;
- (b) inform the public of the decision, by local advertisement, or by such other means as are reasonable in the circumstances; and
- (c) make available for public inspection at the place where the appropriate register (or relevant section of that register) is kept a statement containing—
 - (i) the content of the decision and any conditions attached to it;

- (ii) the main reasons and considerations on which the decision is based including, if relevant, information about the participation of the public;
- (iii) a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development; and
- (iv) information regarding the right to challenge the validity of the decision and the procedures for doing so.

(2) Where an EIA application is determined by the Secretary of State or an inspector, the Secretary of State shall—

- (a) notify the relevant planning authority of the decision; and
- (b) provide the authority with such a statement as is mentioned in sub-paragraph (1)(c).

(3) The relevant planning authority shall, as soon as reasonably practicable after receipt of a notification under paragraph (2)(a), comply with sub-paragraphs (b) and (c) of paragraph (1) in relation to the decision so notified as if it were a decision of the authority.