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STATUTORY INSTRUMENTS

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**2011 No. 1824**

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

PART 11

Development with Significant Transboundary Effects

**Projects in another EEA State likely to have significant transboundary effects**

**54.**—(1) Where the Secretary of State receives from another EEA State, pursuant to Article 7(1) or 7(2) of the Directive, information which that EEA State has gathered from the developer of a proposed project in that EEA State which is likely to have significant effects on the environment in England, the Secretary of State shall, in accordance with Article 7(4) of the Directive—

- (a) enter into consultations with that EEA State regarding the potential significant effects of the proposed project on the environment in England and the measures envisaged to reduce or eliminate such effects; and
  - (b) determine in agreement with that EEA State a reasonable period, before development consent for the project is granted, during which members of the public in England may submit to the competent authority in that EEA State representations pursuant to Article 7(3)(b) of the Directive.
- (2) The Secretary of State shall also—
- (a) arrange for the information referred to in paragraph (1) to be made available, within a reasonable time, both to the authorities in England which are likely to be concerned by the project by reason of their specific environmental responsibilities, and to the public concerned in England;
  - (b) ensure that those authorities and the public concerned in England are given an opportunity, before development consent for the project is granted, to forward to the competent authority in the relevant EEA State, within a reasonable time, their opinion on the information supplied; and
  - (c) so far as such information has been received by the Secretary of State, notify those authorities and the public concerned of the content of any decision of the competent authority of the relevant EEA State; and in particular—
    - (i) any conditions attached to it;
    - (ii) the main reasons and considerations on which the decision was based including, if relevant, information about the participation of the public; and
    - (iii) a description of the main measures to avoid, reduce and, if possible, offset any major adverse effects that have been identified.