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STATUTORY INSTRUMENTS

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**2017 No. 571**

The Town and Country Planning (Environmental  
Impact Assessment) Regulations 2017

PART 8

Unauthorised development

**Procedure where an environmental statement is submitted to the Secretary of State**

**42.** Where the Secretary of State receives (otherwise than as mentioned in regulation 41(b)) an environmental statement in connection with an enforcement appeal, the Secretary of State must—

- (a) send a copy of that environmental statement to the relevant planning authority, advise the authority that the environmental statement will be taken into consideration in determining the ground (a) appeal, and inform them that they may make representations;
- (b) notify the persons to whom a copy of the relevant regulation 37 notice was sent that the environmental statement will be taken into consideration in determining the ground (a) appeal, and inform them that they may make representations and that, if they wish to receive a copy of the environmental statement or any part of it, they must notify the Secretary of State within 7 days of the receipt of the Secretary of State's notice; and
- (c) respond to notification under paragraph (b) by providing a copy of the environmental statement or of the part requested (as the case may be).