

**2023 No. 341**

**ENVIRONMENTAL PROTECTION, ENGLAND**

**NATURE CONSERVATION, ENGLAND**

**The Environment (Local Nature Recovery Strategies)  
(Procedure) Regulations 2023**

<i>Made</i>	- - - -	<i>22nd March 2023</i>
<i>Laid before Parliament</i>		<i>23rd March 2023</i>
<i>Coming into force</i>		<i>13th April 2023</i>

The Secretary of State makes these Regulations in exercise of the power conferred by sections 105(4) and (5) and 143(1) of the Environment Act 2021<sup>(a)</sup>.

**Citation, commencement and extent**

**1.**—(1) These Regulations may be cited as the Environment (Local Nature Recovery Strategies) (Procedure) Regulations 2023.

(2) These Regulations come into force on 13th April 2023.

(3) These Regulations extend to England and Wales.

**Interpretation**

**2.** In these Regulations—

“consultation draft” has the meaning given in regulation 7(3);

“final local nature recovery strategy” has the meaning given in regulation 13(4);

“neighbouring responsible authority” means a responsible authority whose local nature recovery strategy relates to an area adjacent to the strategy area for a local nature recovery strategy;

“publication advisory notice” has the meaning given in regulation 15(1);

“supporting authority” has the meaning given in regulation 3.

**Supporting authorities**

**3.**—(1) In these Regulations, a supporting authority for a local nature recovery strategy is—

(a) where the strategy area<sup>(b)</sup> wholly or partly includes the area to which the authority relates, an authority listed in section 105(2)(a) to (e) of the Environment Act 2021; and

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(a) 2021 c. 30.

(b) See section 105(1) of the Environment Act 2021.

(b) Natural England.

(2) But a responsible authority(a) is not a supporting authority for its own local nature recovery strategy.

### **Involvement of supporting authorities and other persons in the preparation of a local nature recovery strategy**

**4.**—(1) A responsible authority must take reasonable steps to involve all supporting authorities for its local nature recovery strategy in the preparation of the local nature recovery strategy.

(2) The responsible authority must, in particular—

- (a) ensure the supporting authorities are provided with such information pertaining to the local nature recovery strategy as the responsible authority considers relevant;
- (b) ensure that supporting authorities are aware of how they may contact the responsible authority; and
- (c) have regard to any opinions expressed by the supporting authorities in relation to the local nature recovery strategy.

(3) The responsible authority must take reasonable steps to involve such persons and organisations as appear to the responsible authority to be appropriate in the preparation of its local nature recovery strategy.

(4) The responsible authority must consider—

- (a) how it intends to involve the supporting authorities, persons and organisations in the preparation of its local nature recovery strategy;
- (b) which aspects of the statement of biodiversity priorities(b) for the strategy area in respect of which it intends to involve the supporting authorities, persons or organisations; and
- (c) which aspects of the local habitat map(c) for the strategy area in respect of which it intends to involve the supporting authorities, persons or organisations.

(5) The responsible authority must keep under review—

- (a) the persons and organisations it considers are appropriate to involve;
- (b) the aspects of the statement of biodiversity priorities and local habitat map for the strategy area in respect of which it intends to involve the supporting authorities, persons or organisations.

### **Publication of information relating to local nature recovery strategies**

**5.**—(1) A responsible authority must publish the information in paragraph (4) in accordance with this regulation.

(2) Where the responsible authority has a website, it must publish the information on that website.

(3) Where the responsible authority does not have a website, it must—

- (a) arrange for the information to be published on a website; and
- (b) make the address of that website known to all supporting authorities for the local nature recovery strategy.

(4) The information to be published is—

- (a) contact details for the individual or department responsible for preparing its local nature recovery strategy;

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(a) See 105(2) of the Environment Act 2021 for the meaning of section “responsible authority”.

(b) See section 106(1)(a) and (2) of the Environment Act 2021.

(c) See section 106(1)(b), (3) and (4) of the Environment Act 2021.

- (b) where its local nature recovery strategy is not yet published, details as to current progress on its preparation;
- (c) where relevant, information as to the review (under regulation 20) of its local nature recovery strategy; and
- (d) any plans it has to republish its local nature recovery strategy following a review under regulation 20.

### **Local nature reserves and other areas of local importance to biodiversity**

6.—(1) A responsible authority must take reasonable steps to ascertain the location and area of every—

- (a) local nature reserve; and
- (b) relevant site,

wholly or partly within the strategy area.

(2) A local planning authority that receives a request made by a responsible authority in relation to its local nature recovery strategy for information which it holds relating to a local nature reserve or relevant site in the local planning authority’s area must provide that information to the responsible authority before the expiry of 28 days beginning with the day on which the request is received.

(3) But the obligation in paragraph (2) does not apply if the local planning authority has a legitimate reason why the information should not become publicly available.

(4) In this regulation—

“local nature reserve” means an area established as such under section 21(1) of the National Parks and Access to the Countryside Act 1949(a);

“local planning authority” means a person who is a local planning authority for the purposes of any provision of Part 3 of the Town and Country Planning Act 1990(b);

“relevant site” means a site, that is not a local nature reserve, recognised by the local planning authority in whose area the site is located as justifying protection for its value to biodiversity but which is not a national conservation site(c).

### **Provision of consultation draft to supporting authorities**

7.—(1) A responsible authority must provide all supporting authorities for the local nature recovery strategy with the consultation draft of its local nature recovery strategy and request their comments.

(2) But where a responsible authority has received a notice under regulation 20 (review), the responsible authority may not provide supporting authorities with its local nature recovery strategy under this regulation unless it has reviewed the local nature recovery strategy in accordance with that regulation.

(3) A “consultation draft”, in relation to a local nature recovery strategy, is a local nature recovery strategy the responsible authority considers is ready to be consulted on under regulation 12.

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(a) 1949 c. 97; section 21(1) was amended by paragraph 100 of Schedule 27 to the Local Government (Scotland) Act 1973 (c. 65); section 10 of the Local Government and Planning (Scotland) Act 1982 (c. 43), Schedule 14 to the Local Government etc. (Scotland) Act 1994 (c. 39); and paragraph 15 of Schedule 11 to the Natural Environment and Rural Communities Act 2006 (c. 16).

(b) 1990 c. 8; section 1 was amended by Schedule 21 to the Leasehold Reform, Housing and Urban Development Act 1993; section 18 of, and paragraph 1 of Schedule 18 to, the Local Government (Wales) Act 1994 (c. 19); paragraph 32 of Schedule 10 and paragraph 1 of Schedule 24 to the Environment Act 1995 (c. 25); and section 31 of the Greater London Authority Act 2007 (c. 24).

(c) For the definition of “national conservation site” see section 108(3) of the Environment Act 2021.

### **Provision of consultation draft to neighbouring responsible authorities**

8. Within a reasonable time of providing the consultation draft of its local nature recovery strategy to all supporting authorities under regulation 7, a responsible authority must provide a copy of the consultation draft to all neighbouring responsible authorities for the local nature recovery strategy.

### **Pre-consultation objections**

9.—(1) A supporting authority that has been provided with a consultation draft of a local nature recovery strategy under regulation 7 may raise an objection with the responsible authority about—

- (a) the local nature recovery strategy; or
- (b) the responsible authority's preparation of the local nature recovery strategy, including the extent to which the responsible authority has involved the supporting authority in that preparation.

(2) An objection under paragraph (1) must—

- (a) be in writing;
- (b) give reasons for the objection; and
- (c) be given before the expiry of 28 days beginning with the day on which the responsible authority provided the supporting authority with the consultation draft of its local nature recovery strategy under regulation 7.

### **Resolution of pre-consultation objections by the Secretary of State**

10.—(1) This regulation applies where a responsible authority has received an objection to the consultation draft of its local nature recovery strategy under regulation 9.

(2) Where this regulation applies, the responsible authority may write to the Secretary of State to request permission to consult on its local nature recovery strategy under regulation 12.

(3) A request to the Secretary of State under paragraph (2) must—

- (a) be in writing;
- (b) enclose a copy of the local nature recovery strategy;
- (c) enclose the supporting authority's objection to its local nature recovery strategy;
- (d) set out any steps taken by the responsible authority to address the objection;
- (e) explain why the responsible authority considers it is reasonable for the consultation to proceed; and
- (f) enclose all relevant correspondence between the responsible authority and the supporting authority.

(4) A responsible authority which has made a request under paragraph (2) must, as soon as reasonably practical after making the request—

- (a) give a copy of the request to all supporting authorities for the local nature recovery strategy; and
- (b) confirm in writing to the Secretary of State the date on which, and the method by which, the copy of the request was given to each supporting authority for the local nature recovery strategy.

(5) A supporting authority for the local nature recovery strategy may, before the expiry of 14 days beginning with the date on which it was given the copy of the request, submit such information to the Secretary of State as it considers relevant.

(6) The Secretary of State, on receiving an request under paragraph (2), must decide to—

- (a) permit the responsible authority to consult on its local nature recovery strategy; or
- (b) permit the responsible authority to consult on its local nature recovery strategy subject to such conditions as the Secretary of State considers appropriate.

(7) In making a decision under paragraph (6) the Secretary of State must, in particular, have regard to—

- (a) whether the objection raised by the supporting authority is reasonable;
- (b) any steps taken by the responsible authority to address the objection;
- (c) the explanation given by the responsible authority as to why it is reasonable to proceed with the consultation; and
- (d) the conduct of the responsible authority in preparing its local nature recovery strategy, including the extent to which it has involved supporting authorities.

(8) A decision under paragraph (6) may not be made before the expiry of 14 days beginning with the date on which every supporting authority for the local nature recovery strategy has been given a copy of the request by the responsible authority.

(9) The Secretary of State must inform all supporting authorities for the local nature recovery strategy of their decision under paragraph (6).

### **Pre-consultation requirements**

**11.**—(1) A responsible authority may not consult under regulation 12 unless it has complied with regulations 5, 6, 7 and 8.

(2) Subject to paragraph (3), a responsible authority may not consult regulation 12 unless—

- (a) 28 days have expired, beginning with the date on which all supporting authorities for the local nature recovery strategy had been provided with the consultation draft under regulation 7; or
- (b) all of the supporting authorities for the local nature recovery strategy confirm in writing that they are content for the consultation to proceed.

(3) A responsible authority that has received an objection under regulation 9 in respect of its local nature recovery strategy may not consult under regulation 12 unless—

- (a) both of the following have occurred—
  - (i) 28 days have expired, beginning with the date on which all supporting authorities for the local nature recovery strategy had been provided with the consultation draft under regulation 7; and
  - (ii) the supporting authority that raised the objection has confirmed in writing that it is content for the consultation to proceed;
- (b) all of the supporting authorities for the local nature recovery strategy confirm in writing that they are content for the consultation to proceed; or
- (c) where the responsible authority has requested permission to consult from the Secretary of State under regulation 10(2), the Secretary of State—
  - (i) has decided under regulation 10(6)(a) to permit the responsible authority to consult; or
  - (ii) has decided under regulation 10(6)(b) to permit the responsible authority to consult subject to conditions.

(4) Where paragraph (5)(c)(ii) applies, the responsible authority may not consult on its consultation draft until the conditions specified by the Secretary of State have been satisfied.

### **Consultation**

**12.**—(1) A responsible authority must consult on its local nature recovery strategy (subject to regulation 11) .

(2) The responsible authority must publish all responses to the consultation within a reasonable time of the consultation concluding.

### **Pre-publication approval**

**13.**—(1) A responsible authority must provide its final local nature recovery strategy to all supporting authorities for the local nature recovery strategy.

(2) At the same time, the responsible authority must inform the supporting authorities in writing of its intended date for publication of its local nature recovery strategy.

(3) A responsible authority may not provide its final local nature recovery strategy to any supporting authorities under this regulation until its consultation under regulation 12 has concluded.

(4) In this regulation “final local nature recovery strategy” is the local nature recovery strategy—

- (a) in relation to which the consultation under regulation 12 has been undertaken; and
- (b) the responsible authority considers is ready to be published under regulation 19.

### **Provision of final draft to neighbouring responsible authorities**

**14.** Within a reasonable time of providing its final local nature recovery strategy to all supporting authorities for the local nature recovery strategy under regulation 13, a responsible authority must provide a copy of the final local nature recovery strategy to all neighbouring responsible authorities for the local nature recovery strategy.

### **Publication advisory notice**

**15.**—(1) A supporting authority that satisfies the condition in paragraph (2) or paragraph (3) may give a notice (a “publication advisory notice”) to the responsible authority.

(2) The condition in this paragraph is that the supporting authority considers that part of a final local nature recovery strategy cannot be justified based on the results of the consultation undertaken by the responsible authority under regulation 12.

(3) The condition in this paragraph is that the supporting authority considers that the final local nature recovery strategy is materially deficient.

(4) Where this regulation applies, the supporting authority may, before the expiry of 28 days beginning with the date on which the final local nature recovery strategy is given to them under regulation 13(1), give a notice (“a publication advisory notice”) to the responsible authority

(5) A publication advisory notice must—

- (a) be in writing;
- (b) where paragraph (2) applies, explain why the supporting authority considers that parts of the final local nature recovery strategy cannot be justified based on the results of the consultation undertaken by the responsible authority under regulation 12; and
- (c) where paragraph (3) applies, explain why the supporting authority considers that the final local nature recovery strategy is materially deficient.

(6) The supporting authority must give a copy of the publication advisory notice to the Secretary of State within a reasonable time of it being given to the responsible authority.

(7) A responsible authority that receives a publication advisory notice must investigate the matters raised in the notice.

(8) The responsible authority must reply to the supporting authority that gave it the publication advisory notice before the expiry of 28 days beginning with the date on which it received the notice.

(9) A reply to a publication advisory notice must—

- (a) be in writing;
- (b) set out the results of the responsible authority’s investigation under paragraph (7); and

- (c) set out any further steps the responsible authority's intends to take, or has taken, in relation to the matters raised in the notice.

(10) A responsible authority must give a copy of its reply to the Secretary of State within a reasonable time of the reply being given to the supporting authority in question.

### **Resolution of publication advisory notice by the Secretary of State**

**16.**—(1) This regulation applies where—

- (a) a publication advisory notice has been given by a supporting authority to a responsible authority; and
- (b) the supporting authority which gave the publication advisory notice has not subsequently informed the responsible authority that it is content for the responsible authority to publish its local nature recovery strategy under regulation 19.

(2) Where this regulation applies, the responsible authority may write to the Secretary of State to request permission to publish its final local nature recovery strategy under regulation 19.

(3) A responsible authority may not make a request to the Secretary of State under paragraph (2) unless—

- (a) it has investigated the matters raised in the publication advisory notice; and
- (b) it has replied to the publication advisory notice.

(4) A request to the Secretary of State under paragraph (2) must—

- (a) be in writing;
- (b) enclose a copy of its final local nature recovery strategy; and
- (c) contain such other information as the responsible authority considers relevant to the request.

(5) A responsible authority which has made a request under paragraph (2) must, as soon as reasonably practical after making the request—

- (a) give a copy of the request to all supporting authorities for the local nature recovery strategy;
- (b) give a copy of the publication advisory notice to all supporting authorities for the local nature recovery strategy, except for the supporting authority that gave it the notice; and
- (c) confirm in writing to the Secretary of State the date on which, and the method by which, the copy of the request was given to each supporting authority for the local nature recovery strategy.

(6) A supporting authority for the local nature recovery strategy may, before the expiry of 14 days beginning with the date on which the copy of the request was received, submit to the Secretary of State such information as it considers relevant.

(7) The Secretary of State, upon receiving a request under paragraph (2), must—

- (a) permit the responsible authority to publish its final local nature recovery strategy; or
- (b) permit the responsible authority to publish its final local nature recovery strategy, subject to such conditions as the Secretary of State considers appropriate.

(8) A decision under paragraph (7) may not be made until the expiry of 28 days beginning with the date on which every supporting authority for the local nature recovery strategy had been given a copy of the request by the responsible authority.

(9) The Secretary of State must inform all supporting authorities for the local nature recovery strategy of their decision under paragraph (7).

### **Notice to the Secretary of State of intention to publish**

**17.**—(1) A responsible authority must give reasonable notice to the Secretary of State of its intention to publish a final local nature recovery strategy under regulation 19.

- (2) A notice under paragraph (1) must—
  - (a) be in writing;
  - (b) state the intended date of publication; and
  - (c) give details as to the website on which the local nature recovery strategy will be published.
- (3) The final nature recovery strategy must be provided to the Secretary of State with the notice under paragraph (1).
- (4) The final local nature recovery strategy must be provided in an editable electronic format which presents all relevant parts separately, or enables them to be separated, so that those relevant parts may be electronically combined with relevant parts of other local nature recovery strategies.
- (5) “Relevant parts” of a local nature recovery strategy are the parts of it concerning—
  - (a) the location and extent of areas in the strategy area which, in the opinion of the responsible authority, are of particular importance for biodiversity;
  - (b) the location and extent of areas in the strategy area which, in the opinion of the responsible authority—
    - (i) could become of particular importance for biodiversity; or
    - (ii) are areas where the recovery or enhancement of biodiversity could make a particular contribution to other environmental benefits;
  - (c) proposals by the responsible authority as to potential measures relating to the priorities, in terms of habitats and species, for recovering or enhancing biodiversity;
  - (d) the locations in relation to which the potential measures referred to in sub-paragraph (c) have been proposed;
  - (e) the location and extent of areas where action has been undertaken to improve the area’s importance for biodiversity; and
  - (f) where paragraph (e) applies, the actions carried out in those locations.

**Pre-publication requirements**

- 18.—**(1) A responsible authority may not publish its final local nature recovery strategy under regulation 19 unless the consultation under regulation 12 has concluded in relation to the local nature recovery strategy.
- (2) A responsible authority may not publish its final local nature recovery strategy under regulation 19 unless it has notified the Secretary of State of its intention to publish in accordance with regulation 17.
- (3) Subject to paragraph (4) a responsible authority may not publish its final local nature recovery strategy under regulation 19 unless—
- (a) 28 days have expired, beginning with the date on which provided its local nature recovery strategy under regulation 13 to all of the supporting authorities for the local nature recovery strategy; or
  - (b) all of the supporting authorities for the local nature recovery strategy confirm in writing they are content for the local nature recovery strategy to be published.
- (4) A responsible authority that has received a publication advisory notice in respect of a final local nature recovery strategy may not publish it under regulation 19 unless—
- (a) both of the following have occurred—
    - (i) 28 days have expired, beginning with the date on which it provided its final local nature recovery strategy under regulation 13 to all supporting authorities for the local nature recovery strategy ; and
    - (ii) the supporting authority that gave the publication advisory notice has confirmed in writing that it is content for the final local nature recovery strategy to be published;

- (b) all of the supporting authorities for the local nature recovery strategy confirm in writing that they are content for the final local nature recovery strategy to be published; or
  - (c) where the responsible authority has made a request to the Secretary of State under regulation 16(2), the Secretary of State—
    - (i) has decided under regulation 16(7)(a) to permit the responsible authority to publish its final local nature recovery strategy; or
    - (ii) has decided under regulation 16(7)(b) to permit the responsible authority to publish its final local nature recovery strategy subject to conditions; and
- (5) Where paragraph (4)(c)(ii) applies, the responsible authority may not publish its final local nature recovery strategy under regulation 19 until the conditions have been satisfied.

## **Publication**

**19.—**(1) A responsible authority must publish its final local nature recovery strategy in accordance with this regulation (subject to regulation 18).

(2) Where the responsible authority has a website, the final local nature recovery strategy must be published on that website.

(3) Where the responsible authority does not have a website, the responsible authority must—

- (a) arrange for the final local nature recovery strategy to be published on a website; and
- (b) make the address of that website known to all supporting authorities for the local nature recovery strategy.

(4) A responsible authority must make hard copies of the final local nature recovery strategy available to inspect at the responsible authority's office.

(5) A responsible authority may not change a published local nature recovery strategy other than in accordance with these Regulations without the written agreement of the Secretary of State.

## **Review**

**20.—**(1) The Secretary of State must from time to time give notice to a responsible authority of the need to review its local nature recovery strategy.

(2) A notice under paragraph (1) must—

- (a) be in writing;
- (b) specify a date at least 4 months and no later than 8 months beginning with the date on which the notice was given before which the review must begin;
- (c) give an indicative date for completion of the review;
- (d) give an indicative date for republication of its nature recovery strategy.

(3) The Secretary of State must give their first notice under paragraph (1) to each responsible authority—

- (a) after the expiry of three years beginning with the date on which these Regulations come into force; and
- (b) before the expiry of 10 years, also beginning with that date.

(4) Subsequent notices under paragraph (1) must be given at intervals of no less than 3 years and no more than 10 years.

(5) A responsible authority given a notice under paragraph (1) must begin its review of its local nature recovery strategy before the date specified in accordance with paragraph (2)(b).

(6) A review of a local nature recovery strategy must include—

- (a) a review of the statement of biodiversity priorities and local habitat map;
- (b) an assessment of progress in achieving the priorities for recovering or enhancing biodiversity set out in the local nature recovery strategy's statement of biodiversity priorities;

- (c) an assessment of any actions taken to enable areas in the strategy area to become of particular importance for biodiversity; and
- (d) an assessment of any actions taken to recover or enhance biodiversity in areas within the strategy area for the purpose of achieving environmental benefits.

(7) Paragraph (8) applies where changes to a local authority's area or the boundary of the strategy area of a local nature reserve strategy may affect a responsible authority's published local nature recovery strategy.

(8) Where this paragraph applies, the responsible authority must, as part of its review under this regulation, consider the effect of those changes on its local nature recovery strategy.

(9) When reviewing its local nature recovery strategy, a responsible authority must have regard to—

- (a) the indicative date for completion of the review, given in accordance with paragraph (2)(c); and
- (b) the indicative date for republication of its local nature recovery strategy, given in accordance with paragraph (2)(d).

*Trudy Harrison*

Parliamentary Under Secretary of State

Department for Environment, Food and Rural Affairs

22nd March 2023

#### **EXPLANATORY NOTE**

*(This note is not part of the Regulations)*

The Environment Act 2021 (c. 30, “the Act”) requires responsible authorities in England to prepare and publish local nature recovery strategies. A responsible authority under the Act is such of the following authorities as is appointed by the Secretary of State: a local authority whose area is, or is within, the strategy area; the Mayor of London; the mayor for the area of a combined authority established under section 103 of the Local Democracy, Economic Development and Construction Act 2009 (c. 20); a National Park Authority in England; the Broads Authority; and Natural England. Responsible authorities are further required to review and republish their local nature recovery strategies from time to time.

These Regulations make provision in relation to the preparation of local nature recovery strategies. In particular, they make provision about the procedure to be followed in their preparation and publication, and review and republication.

Regulation 3 defines which organisations are “supporting authorities” for the purposes of the Regulations.

Regulation 4 requires responsible authorities to take reasonable steps to involve all supporting authorities for the local nature recovery strategy in its preparation and makes provision as to the form this must take.

Regulation 5 requires responsible authorities to publish certain information relating to local nature recovery strategies.

Regulation 6 requires responsible authorities to take all reasonable steps to ascertain the location and area of all local nature reserves and other relevant sites (as defined) wholly or partly within the strategy area. It also requires local planning authorities to provide requested information relating to those sites within 28 days.

Regulation 7 requires responsible authorities to provide all supporting authorities for the local nature recovery strategy with the draft strategy it considers ready to consult on under regulation 12 (“the consultation draft”) and request their comments.

Regulation 8 requires responsible authorities to provide the consultation draft of the local nature recovery strategy to responsible authorities whose local nature recovery strategy relates to an area adjacent to the strategy area.

Regulation 9 gives supporting authorities power to object to a consultation draft of a local nature recovery strategy or the responsible authority's preparation of it. Raising an objection has the effect of preventing the responsible authority from consulting under regulation 12 until the objection is resolved.

Regulation 10 gives responsible authorities that have received an objection to their consultation draft power to request permission from the Secretary of State to consult under regulation 12. The supporting authorities for the local nature recovery strategy may submit such information to the Secretary of State as they consider relevant. Power is given to the Secretary of State to permit the responsible authority to proceed with its consultation or proceed subject to conditions.

Regulation 11 specifies requirements that must be satisfied before a consultation can be conducted under regulation 12.

Regulation 12 requires responsible authorities to consult on their local nature recovery strategies and sets out the related requirements. It further provides that all responses received by the responsible authority in response to the consultation must be published.

Regulation 13 requires responsible authorities to provide the local nature recovery strategy it intends to publish to all supporting authorities for the local nature recovery strategy. This may not be done until the consultation under regulation 12 has concluded.

Regulation 14 requires responsible authorities to give the local nature recovery strategy it intends to publish to responsible authorities whose local nature recovery strategy relates to an area adjacent to the strategy area.

Regulation 15 provides that a supporting authority may submit a publication advisory notice to the responsible authority. It may do this if it considers that either parts of a final local nature recovery strategy cannot be justified based on the results of the consultation undertaken under regulation 12 or that the strategy is materially defective. Giving a publication advisory notice has the effect of preventing a responsible authority from publishing its local nature recovery strategy until the issues raised in the notice are resolved.

Regulation 16 gives responsible authorities that have received a publication advisory notice power to request permission from the Secretary of State to publish their local nature recovery strategy. The supporting authorities for the local nature recovery strategy may submit such information to the Secretary of State as they consider relevant. Power is given to the Secretary of State to permit the responsible authority to publish its local nature recovery strategy, or publish it subject to conditions.

Regulation 17 requires responsible authorities to give notice to the Secretary of State of their intention to publish a local nature recovery strategy. It also requires responsible authorities to provide their local nature recovery strategies to the Secretary of State at the same time and makes provision for the format in which the local nature recovery strategy must be provided.

Regulation 18 specifies requirements that must be satisfied before a responsible authority can publish a local nature recovery strategy under regulation 19.

Regulation 19 makes provision for the publication of local nature recovery strategies. Local nature recovery strategies must be published on a website and hard copies must be made available. A responsible authority may not publish a local nature recovery strategy that has not been consulted on under regulation 12. It also provides that a responsible authority may not change a published local nature recovery strategy other than in accordance with the regulations without the written agreement of the Secretary of State.

Regulation 20 requires the Secretary of State to give notice to responsible authorities of the need to review their local nature recovery strategies. The first such notice must be given no earlier than

3 years and no later than 10 years after these Regulations come into force and subsequent notices must be given at intervals of no less than 3 and no greater than 10 years. This regulation further makes provision as to when a review must begin and the content of a review.

A full impact assessment has not been prepared for this instrument as no, or no significant, impact on the private, voluntary or public sectors is foreseen.

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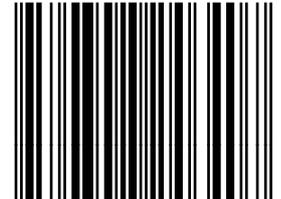
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