



Levelling-up and Regeneration Act 2023

2023 CHAPTER 55

PART 6

ENVIRONMENTAL OUTCOMES REPORTS

General

164 Interaction with existing environmental assessment legislation and the Habitats Regulations

- (1) EOR regulations may make provision about, or in connection with, the interaction of this Part with existing environmental assessment legislation or the Habitats Regulations.
- (2) EOR regulations under this section may, in particular, include provision—
 - (a) treating anything done, or omitted to be done, in relation to an environmental outcomes report as satisfying or failing to satisfy a requirement under relevant existing environmental assessment legislation or the relevant Habitats Regulations;
 - (b) treating anything done, or omitted to be done, under existing environmental assessment legislation or the Habitats Regulations as satisfying or failing to satisfy a requirement imposed by or under this Part;
 - (c) about the co-ordination of things done under this Part and things done under existing environmental assessment legislation or the Habitats Regulations;
 - (d) disapplying or otherwise modifying any provision of relevant existing environmental assessment legislation or the relevant Habitats Regulations where preparation of an environmental outcomes report is required under this Part;
 - (e) disapplying or otherwise modifying any provision of this Part or EOR regulations where something is done, or required to be done, under existing environmental assessment legislation or the Habitats Regulations.

Changes to legislation: There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 164. (See end of Document for details)

(3) EOR regulations under this section may amend, repeal or revoke relevant existing environmental assessment legislation.

(4) In this section—

“the Habitats Regulations” means—

- (a) regulation 5 of the Offshore Petroleum Activities (Conservation of Habitats) Regulations 2001 ([S.I. 2001/1754](#));
- (b) regulation 24 and Part 6 of the Conservation of Habitats and Species Regulations 2017 ([S.I. 2017/1012](#));
- (c) regulations 27 to 37 of the Conservation of Offshore Marine Habitats and Species Regulations 2017 ([S.I. 2017/1013](#));
- (d) the Conservation (Natural Habitats, &c.) Regulations 1994 ([S.I. 1994/2716](#));
- (e) the Conservation (Natural Habitats, etc.) Regulations (Northern Ireland) 1995 ([S.R. \(N.I.\) 1995/380](#));

“the relevant Habitats Regulations” means—

- (a) in relation to EOR regulations made by the Secretary of State acting alone or jointly with one or more devolved authorities, the legislation listed in the definition of “the Habitats Regulations”;
- (b) in relation to EOR regulations made by the Scottish Ministers acting alone, the legislation listed in paragraph (d) of that definition;
- (c) in relation to EOR regulations made by the Welsh Ministers acting alone, the legislation listed in the definition of “the Habitats Regulations” so far as it applies in relation to Wales;
- (d) in relation to EOR regulations made by a Northern Ireland department acting alone, the legislation listed in paragraph (e) of that definition.

Commencement Information

II [S. 164](#) in force at 26.12.2023, see [s. 255\(5\)](#)

Changes to legislation:

There are currently no known outstanding effects for the Levelling-up and Regeneration Act 2023, Section 164.