
STATUTORY INSTRUMENTS

1999 No. 3445

**The Harbour Works (Environmental
Impact Assessment) Regulations 1999**

PART II

—APPLICATIONS RELATING TO HARBOUR WORKS

Consultation on and holding of inquiry into proposed harbour works

9.—(1) The appropriate Authority shall direct the developer to supply such bodies as it may specify, being bodies appearing to it to be likely to have an interest in the project by reason of their environmental responsibilities, with copies of the environmental statement supplied to it under regulation 5(9) or 6(11).

(2) Where the developer is not the harbour authority, the appropriate Authority shall direct the developer to supply the harbour authority with copies of the information supplied to it under regulation 5(9) or 6(11).

(3) Where it has given a direction under paragraph (1) or (2) the appropriate Authority shall consult the bodies specified under paragraph (1), or the harbour authority as the case may be, before reaching a decision on the merits of the proposed harbour works.

(4) The appropriate Authority may if it thinks fit cause an inquiry to be held by a person appointed by it into a proposal to carry out harbour works and it shall afford to the developer, to any persons who have made representations to it, and to the bodies specified in any direction under paragraph (1) and to the harbour authority mentioned in any direction given under paragraph (2), the opportunity to appear before the person appointed by it for the purpose.

(5) Subsections (2) to (5) of section 250 of the Local Government Act 1972⁽¹⁾ or subsections (2) to (8) of section 210 of the Local Government (Scotland) Act 1973⁽²⁾ (which relate to the giving of evidence at, and defraying the cost of, local inquiries) shall apply to an inquiry held under paragraph (4) as they apply in relation to a local inquiry under subsection (1) of that section; but, in its application by virtue of this sub-paragraph, subsection (4) of section 250 of the Local Government Act 1972 shall have effect with the omission of the words “and any amount” onwards.

⁽¹⁾ 1972 c. 70.

⁽²⁾ 1973 c. 65; section 210(5) was amended by the Criminal Procedure (Scotland) Act 1975 (c. 21), sections 289(F) and 289(G) (as inserted by the Criminal Justice Act 1982 (c. 48), section 54).