

SCHEDULE 1

Amendments to the 1964 Act

3. In section 17D (harbour closure orders: procedure)(1), in subsection (2)—
- (a) for paragraph (a) substitute—
 - “(a) ignore paragraphs 3, 4A, 4B(2), 4C(2), 5(2), 6(2)(a) and (c), (3) and (4), 7, 8A, 9, 10(6) to (8), 13 and 14.”;
 - (b) at the end of paragraph (d), omit “and”;
 - (c) for paragraph (e), substitute—
 - “(e) paragraph 4B applies as if for sub-paragraph (1) there were substituted—
 - “(1) The Secretary of State must make a screening decision in respect of the proposed order—
 - (a) as soon as possible, and
 - (b) in any event within the period of 90 days beginning with the day on which the Secretary of State has all of the information needed to make the decision.”;
 - (f) paragraph 8 applies if the Secretary of State decides that the order would relate to a project which requires an environment impact assessment, in which case—
 - (i) the Secretary of State, having consulted bodies with environmental responsibilities, must arrange for the preparation of an environmental statement by competent experts,
 - (ii) the environmental statement must include the information specified in sub-paragraphs (2)(b) and (3) (and may include other information),
 - (iii) the environmental statement must take into account the results of any relevant environmental assessment which are reasonably available to the Secretary of State, and
 - (iv) the environmental statement must include a statement setting out the relevant expertise or qualifications of the experts who prepared the environmental statement,
 - (g) where paragraph 8 applies, treat a reference to an environmental statement supplied under paragraph 8(1)(a) as a reference to the environment statement prepared on behalf of the Secretary of State, and
 - (h) paragraph 10ZA applies if the Secretary of State decides that the order would relate to a project which requires an environmental impact assessment, in which case, treat a reference to the notice received under paragraph 10(6) as a reference to the notice published under paragraph 10(1).”

(1) Section 17D was inserted by section 6(1) of the Marine Navigation Act 2013 (c. 23).