STATUTORY INSTRUMENTS

2014 No. 1333

TOWN AND COUNTRY PLANNING, ENGLAND AND WALES

The Channel Tunnel Rail Link (Planning Appeals and Assessment of Environmental Effects) (Revocation) Regulations 2014

Made - - - -	*20th May 2014*
Laid before Parliament	*6th June 2014*
Coming into force - -	*30th June 2014*

The Secretary of State makes the following Regulations in exercise of the powers conferred by—

(a) section 2(2) of the European Communities Act 1972(**a**); and

(b) section 9(5) and paragraphs 32(1) and (7), 36 and 37(1) of Schedule 6 to the Channel Tunnel Rail Link Act 1996(**b**).

The Secretary of State is designated for the purposes of section 2(2) of the European Communities Act 1972 in relation to the environment(**c**).

Citation and commencement

1. These Regulations may be cited as the Channel Tunnel Rail Link (Planning Appeals and Assessment of Environmental Effects) (Revocation) Regulations 2014 and come into force on 30th June 2014.

Revocations

2. The following Regulations are revoked—

(a) The Channel Tunnel Rail Link (Planning Appeals) Regulations 1997(**d**);

(b) The Channel Tunnel Rail Link (Assessment of Environmental Effects) Regulations 1999(**e**).

(**a**) 1972 c. 68. Section 2(2) is amended by the Legislative and Regulatory Reform Act 2006 (c. 51), section 27(1)(a) and Part 1 of the Schedule to the European Union Amendment Act 2008 (c. 7).

(**b**) 1996 c. 61. Paragraphs 32(1) and (7) and 36 were amended by S.I. 1997/2971, article 6(1) and the Schedule, paragraph 32(e) and (h). The effect of the amendments is that the power to make regulations now vests in the Secretary of State (as defined in Schedule 1 to the Interpretation Act 1978) rather than the "appropriate Ministers", previously defined in paragraph 38(2) (to which corresponding amendments were also made by S.I. 1997/2971) as the Secretary of State for the Environment and the Secretary of State for Transport.

(**c**) S.I. 2008/301.

(**d**) S.I. 1997/821.

(**e**) S.I. 1999/107.

Signed by authority of the Secretary of State for Transport

Stephen Hammond
Parliamentary Under Secretary of State
Department for Transport

20th May 2014

EXPLANATORY NOTE

(This note is not part of the Regulations)

This instrument revokes two sets of Regulations made in relation to the Channel Tunnel Rail Link, the development of which was enabled under the Channel Tunnel Rail Link Act 1996 ("the 1996 Act").

Section 9(1) of the 1996 Act provided that planning permission was deemed to be granted under Part 3 of the Town and Country Planning Act 1990 (c. 8) for the carrying out of development authorised by Part 1 of the 1996 Act. The 1996 Act however required the nominated undertaker (appointed by the Secretary of State under section 34 of the 1996 Act) to apply for planning approval from relevant local authorities for the plans and specifications of the development, and provided for a right of appeal to the Secretary of State against the decision of such an authority. The Channel Tunnel Rail Link (Planning Appeals) Regulations 1997 (S.I. 1997/821) ("the 1997 Regulations") make provision in respect of such appeals.

The Channel Tunnel Rail Link (Assessment of Environmental Effects) Regulations 1999 (S.I. 1999/107) ("the 1999 Regulations") deal with matters arising out of or related to the obligations of the United Kingdom under Council Directive 85/337/EEC on the assessment of the effects of certain public and private projects on the environment (OJ No L 175, 5.7.1985, p40), in the context of certain development authorised by the 1996 Act.

As the ten year period for which the planning permission deemed to be granted under the 1996 Act has passed without being extended, the 1997 and 1999 Regulations are now spent.

A full regulatory impact assessment has not been produced for this instrument as no impact on the private, public or voluntary sectors is foreseen. The Explanatory Memorandum is published alongside the instrument on www.legislation.gov.uk.

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