

Press release: Continuity of planning (environmental) requirements when the UK leaves the European Union

The government has today (24 October 2018) published statutory instruments in relation to environmental assessments and the planning regime.

These instruments make no substantive changes of policy, but when the UK leaves the European Union (EU) these instruments will ensure the continued smooth operation of the following regimes relating to the environment and the planning system:

- Environmental Impact Assessment – which aims to ensure that environmental considerations are taken into account at the development consent stage of the planning process
- Strategic Environmental Assessment – which aims to ensure that environmental considerations are taken into account at the strategic plan-making stage of the planning process
- Hazardous Substances Regulations – these ensure that the objectives of preventing major accidents, and limiting the consequences of such accidents, are taken into account in land-use planning

These instruments also make a small number of amendments to other planning legislation, for example where there are references to obligations in EU law which are redundant or no longer appropriate.

The amendments in these instruments:

- will ensure that these regimes will continue to operate as they did before the date we leave the EU
- will not be retrospective, and so there will be no need to re-examine any decisions made before our EU exit purely as a result of these changes

We have also taken this opportunity to bring up to date some references to other legislation. Those provisions come into force on 31 December 2018. All other provisions come into force at the point the UK leaves the European Union on 29 March 2019.

Before these statutory instruments are formally laid in Parliament, they have to go through a sifting process. A new committee in the House of Commons and the Secondary Legislation Scrutiny Committee in the House of Lords will consider the suitability of the relevant procedure.

The UK government is committed to maintaining the highest environmental standards after we leave the EU, and will continue to uphold international obligations through multilateral environmental agreements.

Further information

See the statutory instruments that the government has laid:

- [Environmental Assessments and Miscellaneous Planning \(Amendment\) \(EU Exit\) Regulations 2018](#)
- [Planning \(Hazardous Substances and Miscellaneous Amendments\) \(EU Exit\) Regulations 2018](#)

The UK government has also laid a [statutory instrument which applies in Northern Ireland](#).

The negative parliamentary procedure is proposed for these statutory instruments. Negative SIs do not need active approval by Parliament. They will automatically come into effect as law unless either House stops (annuls) them within a fixed period after they have been laid (usually 40 sitting days).

The UK will leave the EU at 11pm on 29 March 2019.

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