



Historic England

## Department for Business, Energy and Industrial Strategy

### ***Environmental Impact Assessment: Nuclear Decommissioning Regulations (May 2018)***

#### **Historic England Response**

Historic England is the Government's statutory adviser on all matters relating to the historic environment in England. We are a non-departmental public body established under the National Heritage Act 1983 and sponsored by the Department for Digital, Culture, Media and Sport (DCMS). We champion and protect England's historic places, providing expert advice to local planning authorities, developers, owners and communities to help ensure our historic environment is properly understood, enjoyed and cared for.

The majority of the questions fall outside our area of expertise and remit, and we have therefore concentrated on those of most relevance.

#### **Q.4 Do you agree that a definition of 'competent expert' under the EIADR is not necessary? If not, why not?**

We welcome the proposal that the Environmental Statement should contain a statement from the licensee that it has been prepared by a competent expert and agree that no further definition of 'competent expert' is necessary. We also welcome the statement that the competent authority must ensure that it has, or has access to where necessary, sufficient expertise to assess the report – see also response to Q.7 below.

#### **Q.7 Do you have any further comments or suggestions in relation to the proposals?**

In the Draft Consolidated Regulations, the Historic Buildings and Monuments Commission for England (Historic England) should also be named alongside the Environment Agency and Natural England as a consultation body under 2 Definitions (1) (d), as we are also a statutory environmental body.

This is especially important as a description of the likely significant effects of a project on the cultural heritage is included under Schedule 1 (information which may need to be included in an environmental statement), and Schedule 2 (criteria for determining further assessment), whereas the ONR is also expected to consider the likely significant effects of a project on the cultural heritage (10B (3) (d)).

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By including and specifically naming Historic England as a consultation body, it will help the ONR in considering the information contained within the Environment Statement (with regard to cultural heritage), in reaching its decision on whether to grant consent and on the use of conditions.

We also advise under Schedule 2 2 (c), the wording is revised from 'natural environment' to 'environment', as 'landscapes and sites of historical, cultural or archaeological assessment' (viii) do not form part of the natural environment.

Finally, and for the reasons outlined above, you may wish to include CADW (under 2 (1) (f)) and Historic Environment Scotland (under 2 (1) (g)) as consultation bodies.

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