

---

STATUTORY INSTRUMENTS

---

**2006 No. 2522**

**AGRICULTURE, ENGLAND**

**The Environmental Impact Assessment  
(Agriculture) (England) (No.2) Regulations 2006**

*Made - - - - 13th September 2006*

*Laid before Parliament 15th September 2006*

*Coming into force in accordance with  
regulation 1(2)*

**THE ENVIRONMENTAL IMPACT ASSESSMENT  
(AGRICULTURE) (ENGLAND) (NO.2) REGULATIONS 2006**

PART 1

1. Title, application and commencement
2. Interpretation
3. Application of Regulations

PART 2

4. Requirement for a screening decision
5. Thresholds
6. Screening notices
7. Application for a screening decision
8. The screening decision

PART 3

9. Requirement for consent
10. Scoping opinions
11. Provision of information
12. The consent application
13. Additional information
14. Procedure where a significant project in England may affect another EEA State
15. Procedure where a significant project in another EEA State may affect England

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

16. The consent decision
17. Additional requirements relating to the Habitats Regulations
18. Conditions of consent
19. Procedure following a consent decision
20. Transborder projects
21. Review of decisions and consents

#### PART 4

22. Offence of carrying out a project without a decision under these Regulations
23. Offence of carrying out work in contravention of a condition
24. Offence of procuring a decision by supplying false information
25. Stop notices
26. Penalties for contravention of a stop notice
27. Remediation notices
28. Penalty for contravening a remediation notice
29. Time limits for bringing proceedings
30. Powers of entry and default powers

#### PART 5

31. Appeals against notices
32. Appeals against screening and consent decisions
33. Determination of appeals by written representations
34. Determination of appeals by hearing or local inquiry
35. Application to the court by person aggrieved
36. Interpretation of this Part

#### PART 6

37. Amendment of the Common Agricultural Policy Single Payment and Support Schemes (Cross-compliance) (England) Regulations 2005
  38. Revocations
  39. Transitional provisions
- Signature

---

#### SCHEDULE 1 — Thresholds

#### SCHEDULE 2 — Selection criteria for a screening notice or a screening decision

1. Characteristics of projects
2. Location of Project
3. The potential impact

#### SCHEDULE 3 — Information for inclusion in the environmental statements

##### PART 1

1. A description of the project, including in particular—
2. An outline of the main alternatives studied by the applicant...
3. A description of the aspects of the environment likely to...
4. A description of the likely significant effects of the project...
5. A description of the measures envisaged to prevent, reduce and...

**Changes to legislation:** There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations. (See end of Document for details) [View outstanding changes](#)

6. A non-technical summary of the information provided under paragraphs 1...
7. An indication of any difficulties (including technical deficiencies or lack...

#### PART 2

1. A description of the project comprising information on the site,...
2. A description of the measures envisaged in order to avoid,...
3. The data required to identify and assess the main effects...
4. An outline of the main alternatives studied by the applicant...
5. A non-technical summary of the information provided under paragraphs 1...

#### SCHEDULE 4 — Review of decisions and consents

1. As soon as is reasonably practicable Natural England must, for...
2. For the purposes of the assessment, Natural England may—
3. Unless, following the assessment, Natural England is satisfied that the...
4. Subject to paragraph 5, a further decision does not affect...
5. (1) If— (a) a project which is subject to a...
6. (1) Regulation 32 applies to a further decision made under...
7. If, following a further decision, a person has incurred expenditure...
8. A claim for compensation payable under paragraph 5(3) or 7...
9. Any dispute as to the amount of compensation payable under...
10. Nothing in this Schedule affects anything done in pursuance of...

#### SCHEDULE 5 — Delegation of appellate functions

1. In this Schedule “appointed person” means a person appointed under...
2. An appointment must be in writing and—
3. Subject to the provisions of this Schedule, an appointed person...
4. (1) The provisions of this paragraph apply to an appeal...
5. (1) If the appointment of an appointed person is revoked...
6. (1) Anything done or omitted to be done by an...

#### Explanatory Note

### Changes to legislation:

There are outstanding changes not yet made by the legislation.gov.uk editorial team to The Environmental Impact Assessment (Agriculture) (England) (No.2) Regulations 2006. Any changes that have already been made by the team appear in the content and are referenced with annotations.

[View outstanding changes](#)

### Changes and effects yet to be applied to :

- Sch. 2 substituted by [S.I. 2017/593 reg. 17](#)Sch. 1
- Sch. 3 substituted by [S.I. 2017/593 reg. 18](#)Sch. 2
- Sch. 3 para. 6 words substituted by [S.I. 2019/25 reg. 5\(11\)\(a\)](#)
- Sch. 4 para. 9 words substituted by [S.I. 2009/1307 Sch. 2 para. 117](#)
- Regulations power to amend or revoke conferred by [2023 c. 55 s. 164\(3\)](#)Sch. 14 Pt. 1
- reg. 2 words substituted by [S.I. 2017/1012 Sch. 6 para. 15\(2\)](#)
- reg. 2(1) word substituted by [S.I. 2017/593 reg. 3\(3\)](#)
- reg. 2(1) word substituted by [S.I. 2017/593 reg. 3\(7\)](#)
- reg. 2(1) words inserted by [S.I. 2017/593 reg. 3\(4\)\(b\)](#)
- reg. 2(1) words inserted by [S.I. 2017/593 reg. 3\(10\)](#)
- reg. 2(1) words inserted by [S.I. 2019/25 reg. 5\(2\)\(a\)\(ii\)](#)
- reg. 2(1) words moved by [S.I. 2017/593 reg. 3\(2\)](#)
- reg. 2(1) words substituted by [S.I. 2017/593 reg. 3\(4\)\(a\)](#)
- reg. 2(1) words substituted by [S.I. 2017/593 reg. 3\(5\)](#)
- reg. 2(1) words substituted by [S.I. 2017/593 reg. 3\(6\)](#)
- reg. 2(1) words substituted by [S.I. 2017/593 reg. 3\(8\)](#)
- reg. 2(1) words substituted by [S.I. 2017/593 reg. 3\(9\)](#)
- reg. 2(1) words substituted by [S.I. 2019/25 reg. 5\(2\)\(a\)\(i\)](#)
- reg. 2(1) words substituted in earlier amending provision [S.I. 2019/25, reg. 5\(2\)\(a\)\(ii\)](#) by [S.I. 2019/1078 reg. 2](#)
- reg. 2(2) omitted by [S.I. 2019/25 reg. 5\(2\)\(b\)](#)
- reg. 3(1) words substituted by [S.I. 2017/593 reg. 4\(2\)](#)
- reg. 3(2)(b) words substituted by [S.I. 2011/1824 Sch. 6 para. 14](#)
- reg. 3(2)(d) word inserted by [S.I. 2017/593 reg. 4\(3\)](#)
- reg. 3(2)(e) word omitted by [S.I. 2017/593 reg. 4\(4\)](#)
- reg. 3(2)(f) omitted by [S.I. 2017/593 reg. 4\(5\)](#)
- reg. 3(3)-(5) omitted by [S.I. 2017/593 reg. 4\(5\)](#)
- reg. 7(1)(b) substituted by [S.I. 2017/593 reg. 6\(2\)\(a\)](#)
- reg. 7(1)(c)(d) omitted by [S.I. 2017/593 reg. 6\(2\)\(b\)](#)
- reg. 8(4)(a) substituted by [S.I. 2017/593 reg. 7\(3\)](#)
- reg. 8(4)(b) words substituted by [S.I. 2017/593 reg. 7\(4\)](#)
- reg. 8(4)(c) words substituted by [S.I. 2017/593 reg. 7\(5\)](#)
- reg. 10(1) words substituted by [S.I. 2017/593 reg. 8\(2\)](#)
- reg. 12(5)(d) substituted by [S.I. 2017/593 reg. 9\(3\)](#)
- reg. 12(5)(e) word omitted by [S.I. 2019/25 reg. 5\(4\)\(a\)](#)
- reg. 12(5)(e) words substituted by [S.I. 2019/25 reg. 5\(4\)\(b\)](#)
- reg. 14 heading word substituted by [S.I. 2019/25 reg. 5\(5\)\(a\)](#)
- reg. 14(1) word substituted by [S.I. 2019/25 reg. 5\(5\)\(b\)](#)
- reg. 14(5)(a) words substituted by [S.I. 2019/25 reg. 5\(5\)\(c\)](#)
- reg. 14(6) words omitted by [S.I. 2019/25 reg. 5\(5\)\(d\)](#)
- reg. 15 heading word substituted by [S.I. 2019/25 reg. 5\(6\)\(a\)](#)
- reg. 15(1) word substituted by [S.I. 2019/25 reg. 5\(6\)\(b\)\(i\)](#)
- reg. 15(1) words omitted by [S.I. 2019/25 reg. 5\(6\)\(b\)\(ii\)](#)
- reg. 15(1)(b) words inserted by [S.I. 2019/25 reg. 5\(6\)\(b\)\(iii\)](#)
- reg. 15(2) words omitted by [S.I. 2019/25 reg. 5\(6\)\(c\)](#)
- reg. 15(3) word substituted by [S.I. 2019/25 reg. 5\(6\)\(d\)\(i\)](#)
- reg. 15(3) words omitted by [S.I. 2019/25 reg. 5\(6\)\(d\)\(ii\)](#)
- reg. 16 substituted by [S.I. 2017/593 reg. 11](#)

- reg. 17(1) word substituted by S.I. 2017/593 reg. 12(2)(b)
- reg. 17(1) words substituted by S.I. 2017/1012 Sch. 6 para. 15(4)(a)
- reg. 17(1) words substituted by S.I. 2017/1012 Sch. 6 para. 15(4)(b)
- reg. 17(1) words substituted by S.I. 2017/593 reg. 12(2)(a)
- reg. 17(5)(b) words substituted by S.I. 2019/25 reg. 5(9)
- reg. 17(6) word substituted by S.I. 2017/593 reg. 12(3)
- reg. 19 substituted by S.I. 2017/593 reg. 14
- reg. 37 revoked by S.I. 2009/3264 reg. 8Sch. 3

**Changes and effects yet to be applied to the whole Instrument associated Parts and Chapters:**

- Blanket amendment words substituted by S.I. 2011/1043 art. 3-68-10

**Whole provisions yet to be inserted into this Instrument (including any effects on those provisions):**

- Sch. 2 para. 2(c)(vi) words inserted by S.I. 2019/25 reg. 5(10)
- Sch. 3 para. 9 words inserted by S.I. 2019/25 reg. 5(11)(b)(ii)
- Sch. 3 para. 9 words substituted by S.I. 2019/25 reg. 5(11)(b)(i)
- reg. 2(6)(7) inserted by S.I. 2017/593 reg. 3(11)
- reg. 3A-3C inserted by S.I. 2017/593 reg. 5
- reg. 3B(1)(d) word substituted by S.I. 2019/25 reg. 5(3)
- reg. 3C words substituted by S.I. 2017/1012 Sch. 6 para. 15(3)
- reg. 7(1A) inserted by S.I. 2017/593 reg. 6(3)
- reg. 8(1A) inserted by S.I. 2017/593 reg. 7(2)
- reg. 8(5)(5A) substituted for reg. 8(5) by S.I. 2017/593 reg. 7(6)
- reg. 10(1A) inserted by S.I. 2017/593 reg. 8(3)
- reg. 12(1)(1A) substituted for reg. 12(1) by S.I. 2017/593 reg. 9(2)
- reg. 15A inserted by S.I. 2017/593 reg. 10
- reg. 15A(2)(b) words inserted by S.I. 2019/25 reg. 5(7)
- reg. 16(4)(c) word substituted by S.I. 2019/25 reg. 5(8)
- reg. 18(1A) inserted by S.I. 2017/593 reg. 13
- reg. 30A inserted by S.I. 2010/1159 reg. 7
- reg. 31(3A) inserted by S.I. 2017/593 reg. 15
- reg. 37A inserted by S.I. 2017/593 reg. 16