
STATUTORY INSTRUMENTS

2017 No. 593

**The Environmental Impact Assessment (Agriculture)
(England) (No. 2) (Amendment) Regulations 2017**

Amendments to regulation 2

- 3.—(1) Regulation 2 (interpretation) is amended as follows.
- (2) In paragraph (1) move the definition of “agriculture” to the appropriate place in the alphabetical order.
- (3) In paragraph (1) in the definition of “consent” for “16(1)” substitute “16(2)”.
- (4) In paragraph (1) in the definition of “consultation bodies”—
- (a) in paragraph (a) for “English Heritage” substitute “Historic England”;
 - (b) in paragraph (c) after “project” insert “because of its specific environmental responsibilities or local or regional competences”.
- (5) In paragraph (1) for the definition of “the EIA Directive” substitute—
- ““the EIA Directive” means [Directive 2011/92/EU](#) of the European Parliament and of the Council on the assessment of the effects of certain public and private projects on the environment⁽¹⁾, as amended by [Directive 2014/52/EU](#) of the European Parliament and of the Council⁽²⁾.”
- (6) In paragraph (1) for the definition of “environmental statement” substitute—
- ““environmental statement” has the meaning given by regulation 12(1);”.
- (7) In paragraph (1) in the definition of “European site” for “10(1)” substitute “8(1)”.
- (8) In paragraph (1) in the definition of “the Habitats Directive” for the words from “the Act concerning” to the end substitute “as last amended by Council [Directive 2013/17/EU](#)⁽³⁾”.
- (9) In paragraph (1) for the definition of “Habitats Regulations” substitute—
- ““the Habitats Regulations” means the Conservation of Habitats and Species Regulations 2010⁽⁴⁾.”
- (10) In paragraph (1) at the appropriate places in the alphabetical order insert—
- ““the Wild Birds Directive” means [Directive 2009/147/EC](#) of the European Parliament and of the Council on the conservation of wild birds⁽⁵⁾, as amended by Council [Directive 2013/17/EU](#)”;
- ““environmental impact assessment”, in respect of a project, means the process comprising—
- (a) the preparation of an environmental statement by the applicant;
 - (b) the carrying out of consultations in accordance with regulations 12(5), 13 and 14;

(1) OJ No L 26, 28.1.2012, p. 1.

(2) OJ No L 124, 25.4.2014, p. 1.

(3) OJ No L 158, 10.6.2013, p. 193.

(4) [S.I. 2010/490](#), to which there are amendments not relevant to these Regulations.

(5) OJ No L 20, 26.1.2010, p. 7.

- (c) Natural England’s consideration of the environmental statement and other information in accordance with regulation 15A(1);
- (d) Natural England reaching a conclusion about the likely significant effects of the significant project in accordance with regulation 15A(2); and
- (e) Natural England’s consideration of that conclusion, and the reasons for it, in the decision whether or not to grant consent in accordance with regulation 16;”;

““EU environmental assessment” means an assessment carried out—

- (a) under an obligation to which section 2(1) of the European Communities Act 1972 applies (other than the EIA Directive), or
- (b) under the law of any part of the United Kingdom implementing an EU obligation other than an obligation arising under the EIA Directive,
- (c) of the effect of anything on the environment;”;

““UK environmental assessment” means an assessment carried out in accordance with an obligation under the law of any part of the United Kingdom of the effect of anything on the environment.”.

(11) After paragraph (5) insert—

“(6) In these Regulations, any reference to the likely significant effects, or the likely significant adverse effects, of—

- (a) a restructuring project on the environment includes a reference to the effects of the restructuring project on the environment once the restructuring is completed and in operation;
- (b) an uncultivated land project on the environment includes a reference to the effects of the uncultivated land project on the environment once any construction, installation or other intervention is finished and in operation.

(7) In paragraph (6) each reference to the environment includes a reference to the matters referred to in regulation 15A(2)(a) to (e)”.