
EXPLANATORY NOTE

(This note is not part of the Regulations.)

These Regulations amend the Drainage (Environmental Assessment) Regulations (Northern Ireland) 1991 which implement in respect of Northern Ireland, in relation to drainage schemes and drainage works carried out by the Department of Agriculture for Northern Ireland (“the Department”), the requirements of Council Directive [85/337/EEC](#) on the assessment of the effects of certain public and private projects on the environment (O.J. No. L175, 5.7.85, p. 40). Part III of these Regulations further amends the Drainage (Northern Ireland) Order 1973.

The Regulations make the following changes of substance—

- (a) the procedures to be followed by the Department where it considers that an environmental statement should, or alternatively should not, be prepared in respect of a proposed drainage scheme or drainage works, are modified (regulations 6 and 16);
- (b) where a proposed drainage scheme or drainage works are likely to have a significant effect on the environment in a member State of the European Communities other than the United Kingdom the Department is required to forward a copy of the environmental statement or further environmental information relevant to that statement to that member State giving it an opportunity to make representations;
- (c) the Department is required to notify its decision to proceed with a proposed drainage scheme or drainage works which have been made subject to an environmental statement and to confirm in writing that it has considered the proposals, the environmental statement, any information received in respect thereof and any representations made in respect thereof including representations from another member State (regulations 13 and 16);
- (d) when notifying its decision to vary the provisions of any drainage scheme, which has been the subject of an environmental statement, the Department is also required to confirm that it has considered the proposals, the environmental statement, any information received in respect thereof and any representations made in respect thereof (regulation 17).