
STATUTORY RULES OF NORTHERN IRELAND

1999 No. 415

Environmental Impact Assessment (Fish Farming in Marine Waters) Regulations (Northern Ireland) 1999

Screening opinion of the Department

4.—(1) A person who is minded to apply for a fish culture licence as regards fish farming in marine waters may ask the Department to state in writing its opinion as to whether an environmental assessment is required; and such an opinion is referred to in these Regulations as a “screening opinion”.

(2) A request under paragraph (1) shall be accompanied by—

- (a) a map or chart showing the location and extent of the site of the proposed fish farm;
- (b) a brief outline of the proposed annual scale of production in tonnes (deadweight), the biomass capacity of the development, the equipment to be installed on site and of the possible effects of the development on the environment;
- (c) a statement of the proposed servicing methods and of any intended associated development; and
- (d) such other information or representations as the person making the request may wish to provide or make.

(3) The Department shall, if it considers that it has not been provided with sufficient information to enable it to give an opinion on the questions raised, notify the person making the request in writing of the matters on which it requires further information.

(4) In coming to a view as to whether consideration of environmental information is required the Department shall consult such authorities, bodies or persons mentioned in Schedule 3 as it considers appropriate.

(5) The Department shall respond to such a request within 6 weeks commencing with the date of receipt of the request or such longer period as may be agreed with the person making the request.

(6) In giving a screening opinion the Department shall take into account such of the selection criteria set out in Schedule 1 as are relevant to the proposed development.

(7) If, in response to such a request, the Department expresses a screening opinion to the effect that consideration of environmental information would be required before a fish culture licence could be granted for the proposed development, it shall provide with the screening opinion a written statement giving clearly and precisely the reasons for its conclusion and provide notice that the applicant shall supply the authorities, bodies and persons, which have been consulted under paragraph (4), with such further information about the proposed development as they may request.

(8) Where the Department expresses a screening opinion under paragraph (7) to the effect that consideration of environmental information would be required, the Department shall inform such of the authorities, bodies or persons mentioned in Schedule 3 as shall be appropriate according to the circumstances mentioned therein of the requirement for an environmental statement and that they may be required to make available to the applicant, in accordance with regulation 7(1), any information in their possession which he or they consider relevant to the preparation of an environmental statement.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(9) The Department shall make available for public inspection at all reasonable hours at an appropriate place, a copy of—

- (a) any opinion given pursuant to a request under paragraph (1),
- (b) any accompanying statement of reasons,
- (c) the relevant request and the documents which accompanied it.