

SCHEDULE 1

Regulation 18

“SCHEDULE 1

Regulation 7(2)(f)

Information in environmental statement

1. A description of the improvement works, including in particular—
 - (a) a description of the location of the improvement works;
 - (b) a description of the physical characteristics of the whole of the improvement works, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases;
 - (c) a description of the main characteristics of the operational phase of the improvement works (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used;
 - (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation) and quantities and types of waste produced during the construction and operation phases.
2. A description of the reasonable alternatives (for example in terms of project design, technology, location, size and scale) studied by the drainage body, which are relevant to the proposed improvement works and their specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.
3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the improvement works as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.
4. A description of the factors specified in regulation 12(2) likely to be significantly affected by the improvement works: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.
5. A description of the likely significant effects of the improvement works on the environment resulting from, among other things—
 - (a) the construction and existence of the improvement works, including, where relevant, demolition works;
 - (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources;
 - (c) the emission of pollutants, noise, vibration, light, heat and radiation, the creation of nuisances, and the disposal and recovery of waste;
 - (d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters);
 - (e) the cumulation of effects with other existing or approved improvement works or projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources;
 - (f) the impact of the improvement works on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the improvement works to climate change;

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(g) the technologies and the substances used.

6. The description referred to in paragraph 4 of the likely significant effects on the factors specified in regulation 12(2) must cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the improvement works. That description must take into account the environmental protection objectives established at EU or member State level which are relevant to the improvement works.

7. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered in compiling the required information and the main uncertainties involved.

8. A description of the measures envisaged to avoid, prevent, reduce or offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-works analysis). That description must explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and must cover both the construction and operational phases.

9. A description of the expected significant adverse effects of the improvement works on the environment deriving from the vulnerability of the improvement works to risks of major accidents or disasters which are relevant to the improvement works. Relevant information available and obtained through risk assessments pursuant to EU legislation such as Directive 2012/18/EU of the European Parliament and of the Council on the control of major-accident hazards involving dangerous substances, amending and subsequently repealing Council Directive 96/82/EC(1) or Council Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations(2) or UK environmental assessments may be used for this purpose provided that the requirements of the EIA Directive are met. Where appropriate, the description must include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

10. A non-technical summary of the information provided under paragraphs 1 to 9.

11. A reference list detailing the sources used for the descriptions and assessments included in the statement.”

SCHEDULE 2

Regulation 19

“SCHEDULE 2

Regulations 4 to 6

Improvement works having a significant effect on the environment: selection criteria

Characteristics of improvement works

1. The characteristics of improvement works must be considered, with particular regard to—
 - (a) the size and design of the whole improvement works;
 - (b) cumulation with other existing or approved projects;
 - (c) the use of natural resources, in particular land, soil, water and biodiversity;
 - (d) the production of waste;

(1) OJ No L 197, 24.7.2012, p. 1.

(2) OJ No L 219, 25.7.2014, p. 42.

- (e) pollution and nuisances;
- (f) the risk of major accidents or disasters which are relevant to the improvement works, including those caused by climate change, in accordance with scientific knowledge;
- (g) the risks to human health (for example due to water contamination or air pollution).

Location of improvement works

2. The environmental sensitivity of geographical areas likely to be affected by improvement works must be considered, with particular regard to—

- (a) the existing and approved land use;
- (b) the relative abundance, availability, quality and regenerative capacity of natural resources (including soil, land, water and biodiversity) in the area and its underground;
- (c) the absorption capacity of the natural environment, paying particular attention to the following areas—
 - (i) wetlands, riparian areas, river mouths;
 - (ii) coastal zones and the marine environment;
 - (iii) mountain and forest areas;
 - (iv) nature reserves and parks;
 - (v) areas classified or protected under national legislation and Natura 2000 areas designated by member States pursuant to the Habitats Directive and the Wild Birds Directive;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in EU legislation and relevant to the improvement works, or in which it is considered that there is such a failure;
 - (vii) densely populated areas;
 - (viii) landscapes and sites of historical, cultural or archaeological significance.

Type and characteristics of the potential impact

3. The likely significant effects of improvement works on the environment must be considered in relation to criteria set out in paragraphs 1 and 2 of this Schedule, with regard to the impact of the improvement works on the factors specified in regulation 12(2), taking into account—

- (a) the magnitude and spatial extent of the impact (for example geographical area and size of the population likely to be affected);
- (b) the nature of the impact;
- (c) the transboundary nature of the impact;
- (d) the intensity and complexity of the impact;
- (e) the probability of the impact;
- (f) the expected onset, duration, frequency and reversibility of the impact;
- (g) the cumulation of the impact with the impact of other existing or approved projects;
- (h) the possibility of effectively reducing the impact.”

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SCHEDULE 3

Regulation 20

“SCHEDULE 2A

Regulation 5(5A)(a)

Information to be taken into account in deciding whether improvement works are likely to have significant effect on environment

1. A description of the improvement works, including in particular—
 - (a) a description of the physical characteristics of the whole improvement works and, where relevant, of demolition works;
 - (b) a description of the location of the improvement works, with particular regard to the environmental sensitivity of geographical areas likely to be affected.
2. A description of the aspects of the environment likely to be significantly affected by the improvement works.
3. A description of any likely significant effects, to the extent that the information is available on such effects, of the improvement works on the environment resulting from—
 - (a) the expected residues and emissions and the production of waste, where relevant;
 - (b) the use of natural resources, in particular soil, land, water and biodiversity.
4. The criteria in Schedule 2 must be taken into account, where relevant, when compiling the information in accordance with paragraphs 1 to 3.”