

SCHEDULE 1

Regulation 5

SUBSTITUTION OF SCHEDULE 1 OF THE 2010 REGULATIONS

“SCHEDULE 1

Regulations 4(3) and 5

SELECTION CRITERIA

Characteristics of scheme

1. The characteristics of the scheme must be considered having regard, in particular, to—
 - (a) the size and design of the scheme;
 - (b) cumulation with other existing and/or approved projects;
 - (c) the use of natural resources, in particular land, soil, water and biodiversity;
 - (d) the production of waste;
 - (e) pollution and nuisances;
 - (f) the risk of major accidents and/or disasters which are relevant to the scheme, 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 scheme

2. The environmental sensitivity of geographical areas likely to be affected by the scheme must be considered having regard, in particular, 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; and
 - (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) European sites and other areas classified or protected under national legislation;
 - (vi) areas in which there has already been a failure to meet the environmental quality standards, laid down in Union legislation and relevant to the scheme, 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.

Characteristics of the potential impact

3. The likely significant effects of the scheme on the environment must be considered in relation to the criteria specified in paragraphs 1 and 2, with regard to the impact of the scheme on the factors specified in regulation 2A(3), 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);

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- (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 and/or approved projects;
- (h) the possibility of effectively reducing the impact.

Interpretation of schedule 1

4. In this schedule—

“European site” has the meaning given in regulation 10 of the Conservation (Natural Habitats, &c.) Regulations 1994(1); and

“projects” means—

- (a) the execution of construction works or of other installations or schemes; and
- (b) other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources.”

SCHEDULE 2

Regulation 6

SUBSTITUTION OF SCHEDULE 2 OF THE 2010 REGULATIONS

“SCHEDULE 2

Regulation 6(2)(f)

INFORMATION FOR INCLUSION IN EIA REPORTS

1. A description of the scheme, including in particular:

- (a) a description of the location of the scheme;
- (b) a description of the physical characteristics of all the works covered by the scheme, including, where relevant, 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 scheme (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 scheme design, technology, location, size and scale) studied by the local authority which proposed the scheme, which are relevant to the scheme and its 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 (the “baseline scenario”) and an outline of the likely evolution thereof without implementation of the scheme as

(1) [S.I. 1994/2716](#), to which there are amendments not relevant to these Regulations.

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 2A(3) likely to be significantly affected by the scheme: 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.—(1) A description of the likely significant effects of the scheme on the environment resulting from, inter alia:

- (a) the construction and existence of the scheme, 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 and/or approved 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 proposed scheme on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the scheme to climate change;
- (g) the technologies and the substances used.

(2) The description of the likely significant effects on the factors specified in regulation 2A(3) should 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 scheme. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the scheme including in particular those established under Council [Directive 92/43/EEC](#) on the conservation of natural habitats and of wild fauna and flora⁽²⁾ and [Directive 2009/147/EC](#) of the European Parliament and of the Council on the conservation of wild birds⁽³⁾.

(3) In sub-paragraph (1) “projects” means—

- (a) the execution of construction works or of other installations or schemes; and
- (b) other interventions in the natural surroundings and landscape including those involving the extraction of mineral resources.

6. 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 compiling the required information and the main uncertainties involved.

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

(2) OJ L 206, 22.7.1992, p.7.

(3) OJ L 20, 26.1.2010, p.7.

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8. A description of the expected significant adverse effects of the scheme on the environment deriving from the vulnerability of the scheme to risks of major accidents and/or disasters which are relevant to the scheme. Relevant information available and obtained pursuant to legislation of the European Union 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](#)(**4**) or Council Directive 2009/71/Euratom establishing a Community framework for the nuclear safety of nuclear installations(**5**) or relevant assessments may be used for this purpose provided that the requirements of these Regulations are met. Where appropriate, this description should 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.

9. A non-technical summary of the information provided under paragraphs 1 to 8.

10. A reference list detailing the sources used for the descriptions and assessments included in the EIA report in respect of the scheme.”

(4) OJ L 197, 24.7.2012, p.1.

(5) OJ L 172, 2.7.2009, p.18, as amended by Council Directive 2014/87/Euratom (OJ L 219, 25.7.2014, p.42).