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STATUTORY INSTRUMENTS

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**2009 No. 2263**

**INFRASTRUCTURE PLANNING**

**The Infrastructure Planning (Environmental  
Impact Assessment) Regulations 2009**

*Made - - - - 1st September 2009*

*Laid before Parliament 8th September 2009*

*Coming into force 1st October 2009*

**THE INFRASTRUCTURE PLANNING (ENVIRONMENTAL  
IMPACT ASSESSMENT) REGULATIONS 2009**

1. Citation and commencement
2. Interpretation
3. Prohibition on granting consent without consideration of environmental information
4. When development is EIA development: general cases
5. When development is EIA development: directions by the Secretary of State
6. Procedure for establishing whether environmental impact assessment is required
7. Considerations for screening decisions
8. Application for a scoping opinion
9. Procedure to facilitate preparation of environmental statements
10. Consultation statement requirements
11. Pre-application publicity under section 48 (duty to publicise)
12. Obligations of Commission on receipt of application
13. Accepted application - publicity and consultation for EIA development
14. Certifying compliance with regulation 13
15. Effect of failure to comply with regulation 13
16. Accepted application - effect of screening opinion not taking account of all relevant information
17. Accepted application - effect of environmental statement being inadequate
18. Subsequent application for EIA development
19. Subsequent application not complying with EIA requirements
20. Availability of copies of environmental statements
21. Charges for copies of environmental statements
22. Availability of directions etc and notification of decisions
23. Duties to inform the consultees, public and the Secretary of State of final decisions

24. Development with significant transboundary effects
25. Service of notices etc  
Signature

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SCHEDULE 1 — Descriptions of development and criteria for the purposes of the definition of “Schedule 1 development”

Interpretation  
Descriptions of development

SCHEDULE 2 — Descriptions of development for the purposes of the definition of “Schedule 2 development”

1. Agriculture, silviculture and aquaculture (a) Projects for the restructuring of...
2. Extractive industry (a) Quarries, open-cast mining and peat extraction (where...
3. Energy industry (a) Industrial installations for the production of electricity,...
4. Production and processing of metals (a) Installations for the production...
5. Mineral industry (a) Coke ovens (dry coal distillation);
6. Chemical industry (Projects not included in Schedule 1)
7. Food industry (a) Manufacture of vegetable and animal oils and...
8. Textile, leather, wood and paper industries (a) Industrial plants for...
9. Rubber industry Manufacture and treatment of elastomer-based products.
10. Infrastructure projects (a) Industrial estate development projects;
11. Other projects (a) Permanent racing and test tracks for motorised...
12. Tourism and leisure (a) Ski-runs, ski-lifts and cable-cars and associated...
13. (a) Any change to or extension of development of a...

SCHEDULE 3 — Selection criteria for screening Schedule 2 development

14. Characteristics of development The characteristics of development must be considered...
15. Location of development The environmental sensitivity of geographical areas likely...
16. Characteristics of the potential impact The potential significant effects of...

SCHEDULE 4 — Information for inclusion in environmental statements

PART 1

17. Description of the development, including in particular—
18. An outline of the main alternatives studied by the applicant...
19. A description of the aspects of the environment likely to...
20. A description of the likely significant effects of the development...
21. A description of the measures envisaged to prevent, reduce and...
22. A non-technical summary of the information provided under paragraphs 1...
23. An indication of any difficulties (technical deficiencies or lack of...

PART 2

24. A description of the development comprising information on the site,...
25. A description of the measures envisaged in order to avoid,...
26. The data required to identify and assess the main effects...
27. An outline of the main alternatives studied by the applicant...
28. A non-technical summary of the information provided under paragraphs 1...

SCHEDULE 5 —

Explanatory Note