
STATUTORY INSTRUMENTS

2000 No. 1927

The Electricity Works (Environmental Impact Assessment) (England and Wales) Regulations 2000

**PART I
GENERAL**

Interpretation

2.—(1) In these Regulations—

“the Act” means the Electricity Act 1989 and references to sections are references to sections of the Act;

“the consultative bodies” means—

- (a) (other than in relation to development which is or is to be situated in the English area) the local planning authority and any principal council for the area where the land is situated, if not the local planning authority;
- (b) where the application or proposed application relates to a site in England, the Countryside Agency⁽¹⁾ and the Nature Conservancy Council for England⁽²⁾;
- (c) where the application or proposed application relates to a site in Wales, the Countryside Council for Wales⁽³⁾; and
- (d) where the application or proposed application relates to a section 36 consent, the Environment Agency⁽⁴⁾;

“development” means the carrying out of building, engineering or other operations in, on, over or under land or sea in pursuance of any application to which these Regulations apply;

“EEA State” means a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992⁽⁵⁾ as adjusted by the Protocol signed at Brussels on 17th March 1993⁽⁶⁾;

“EIA development” means development which is—

- (a) Schedule 1 development;
- (b) Schedule 2 development which falls within regulation 3(2); or
- (c) any other development which the Secretary of State determines is EIA development in accordance with regulation 3(4);

“electric line” has the same meaning as in section 64;

(1) See section 1(1) of the National Parks and Access to the Countryside Act 1949 (c. 97), as substituted by the Environment Protection Act 1990 (c. 43), section 130 and Schedule 8, paragraph 1 and as amended by S.I.1999/416.

(2) See section 128 of the Environment Protection Act 1990.

(3) See section 130 of the Environment Protection Act 1990.

(4) See section 1(1) of the Environment Act 1995 (c. 25).

(5) Cm 2073.

(6) Cm 2183.

“the English area” means the area so defined in Article 1(2) of the Civil Jurisdiction (Offshore Activities) Order 1987(7);

“environmental information” means the environmental statement prepared by the applicant, any representations duly made by any consultative body or any other person consulted pursuant to regulation 11(2)(a)(ii) and any representations duly made by any other person about the likely environmental effects of the proposed development;

“environmental statement” means a statement prepared in respect of development in accordance with regulation 4(1) (including any further information submitted by the applicant pursuant to a requirement under regulation 13(1));

“generating station” has the same meaning as in section 64;

“local planning authority” has the same meaning as is assigned to “relevant planning authority” by sub-paragraph (a), (aa) or (ab) (as the case may be) of paragraph 2(6) of Schedule 8 to the Act(8);

“principal council” has the same meaning as in section 270(1) of the Local Government Act 1972(9);

“register” means the register kept pursuant to section 69 of the Town and Country Planning Act 1990(10);

“Schedule 1 development” means development of a description set out in Schedule 1;

“Schedule 2 development” means development of a description set out in Schedule 2;

“scoping opinion” means a written statement of opinion of the Secretary of State given in accordance with regulation 7;

“screening opinion” means a written statement of opinion of the Secretary of State as to whether the development in question is EIA development;

“section 36 consent” means a consent under section 36 to construct, extend or operate a generating station; and

“section 37 consent” means a consent under section 37 to install or keep installed an electric line above ground.

(2) Except where the context otherwise requires, in these Regulations any reference to a numbered regulation or Schedule is a reference to the regulation in or the Schedule to these Regulations bearing that number and any reference in a regulation to a paragraph is a reference to a paragraph of that regulation.

(7) S.I. 1987/2197.

(8) Paragraph 2(6) of Schedule 8 to the Act was amended by (i) the Local Government (Wales) Act 1994 (c. 19), section 20(4) and Schedule 6, paragraph 22 and (ii) by the Environment Act 1995 (c. 25), section 78 and Schedule 10, paragraph 30. The amendment referred to in (i) came into force after the amendment referred to in (ii), and consequently sub-paragraph (3) of the said paragraph 30 applies, and not sub-paragraph (4) or (5) thereof.

(9) 1972 c. 70.

(10) 1990 c. 8.