
STATUTORY INSTRUMENTS

2017 No. 592

**The Environmental Impact Assessment (Forestry)
(England and Wales) (Amendment) Regulations 2017**

Amendment of regulation 6

10.—(1) Regulation 6 (opinions of the appropriate forestry body) is amended as follows.

(2) For paragraph (1), substitute—

“(1) Where the proposer applies to the appropriate forestry body under regulation 5, they shall give to the proposer written notice of their opinion within 28 days beginning with—

- (a) the date of their receipt of the application; or
- (b) where they notify the proposer under regulation 5(3)(1) that they require further information, the date of their receipt of that information.”

(3) After paragraph (1), insert—

“(1A) In exceptional cases, where the nature, complexity, location or size of the project demands a longer period to reach an opinion, the appropriate forestry body may extend the deadline in paragraph (1), informing the proposer in writing of the reasons justifying the extension and of the date on which their opinion is expected.”

(4) In paragraph (2), at the end, insert “and the results of any relevant EU environmental assessment which are reasonably available to the appropriate forestry body”.

(5) For paragraph (3), substitute—

“(3) In a case where, in accordance with—

- (a) regulation 3A, 3B or paragraph 1A of Schedule 2, in relation to England, or
- (b) paragraph 2 of Schedule 2, in relation to Wales,

the project is to be treated as being unlikely to have significant effects on the environment, the appropriate forestry body shall form their opinion in accordance with regulation 3(3) to (5) except where, in their opinion, there are exceptional circumstances which, taking account of the selection criteria in Schedule 3, make it likely that the project will have significant effects on the environment.”

(6) After paragraph (4), insert—

“(4A) Where the opinion of the appropriate forestry body is that a project is not a relevant project, the appropriate forestry body shall state—

- (a) the main reasons for being of that opinion, with reference to the relevant selection criteria in Schedule 3; and
- (b) where proposed by the proposer, any features of the project or measures envisaged to avoid or prevent what might otherwise have been significant adverse effects of the project on the environment.”

Status: This is the original version (as it was originally made).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