
STATUTORY INSTRUMENTS

2017 No. 593

**The Environmental Impact Assessment (Agriculture)
(England) (No. 2) (Amendment) Regulations 2017**

Substitution of regulation 16

11. For regulation 16 (the consent decision) substitute—

“The consent decision

16.—(1) Natural England must consider—

- (a) the conclusion reached under regulation 15A(2) in respect of the significant project and the reasons for that conclusion;
- (b) whether it is appropriate to require the applicant to monitor the significant adverse effects of the significant project on the environment, and if so—
 - (i) whether consent should be given subject to conditions to ensure that the applicant is under such a duty, and
 - (ii) whether consent should be given subject to conditions to require remedial action to be taken in circumstances described in the conditions;
- (c) whether, having regard to the likely significant environmental effects of the significant project, consent should be given subject to any other conditions;
- (d) any social or economic impacts which might result from a decision to refuse consent for the significant project.

(2) Following that consideration, Natural England must grant, or refuse to grant, consent for a significant project.

(3) Natural England may make a decision under paragraph (2) only if satisfied that the conclusion reached under regulation 15A(2) in respect of the significant project and the reasons for it address the likely significant environmental effects of the significant project.

(4) Natural England must not make a decision under paragraph (2) before—

- (a) the expiry of the period in the notice under regulation 12(5)(c),
- (b) the expiry of the period of 28 days after—
 - (i) the date on which any additional environmental information was sent to the consultation bodies, or
 - (ii) the date notice of the additional environmental information was published under regulation 13(3), or
- (c) the expiry of any period agreed with another EEA State under regulation 14(6)(b).

(5) Natural England must reach its decision under paragraph (2) within a reasonable period of time beginning with the date on which it is given all the information it is required to consider in accordance with regulation 15A(1) taking into account the nature and complexity of the application and significant project.”