**Attachment 1**

[Amending environmental impact assessment regulations](http://bpf.us8.list-manage2.com/track/click?u=254f32174e1d0483610b4f333&id=691a5e5080&e=cc5fe8dfef)

The consultation seeks views on draft regulations to replace the existing regulations and implement the requirements of the EU Environmental Impact Assessment Directive. The Government proposes only to implement the minimum changes needed to bring the existing regulations into line with the amended Directive. The following are considered to be most significant:-

• The addition of a definition of the environmental impact assessment process - Article 1(2)g.

• Changes to the circumstances in which a project may be exempt from the requirements of the Directive – Articles 1(3).

• Introduction of Joint and/or Coordinated procedures for projects which are subject to the Habitats or Wild Birds Directives as well as the EIA Directive – Article 2(3).

• Changes to the list of environmental factors to be considered as part of the environmental impact assessment process – Article 3.

• Clarification of the options for screening and amendments to the information which is required and the criteria to be applied when screening projects to determine whether the Directive applies – Article 4, Annex IIA and Annex III.

• Amendments to the information to be included in the environmental statement – Article 5 and Annex IV.

• A requirement for environmental statements to be ‘based on’ a scoping opinion, where one is issued – Article 5(2).

• The use of competent experts - Article 5(3).

• A requirement to inform the public of projects electronically - Article 6(2) and 6(5).

• A new article elaborating on information to be given in decision notices and the decision making procedures – Article 8a.

• Monitoring significant adverse effects - Article 8a(4).

• A new Article requiring the avoidance of conflicts of interest – Article 9a.

• The introduction of penalties for infringements of national provisions – Article 10a.

AR commented on the original consultation and the proposed changes made now are consistent with the views we expressed then (which were largely supportive). Given this, a further response is not needed, but as EIAs are of significance to future applications regarding retail parks, the progress of this issue should be monitored by the CEO and reported to the RLG and the Board as appropriate.