

SL(5)689 – The Environmental Impact Assessment (Agriculture) (Wales) (Amendment) Regulations 2020

Background and Purpose

The Environmental Impact Assessment (Agriculture) (Wales) (Amendment) Regulations 2020 (“the Regulations”) amend the Environmental Impact Assessment (Agriculture) (Wales) Regulations 2017 (“the 2017 Regulations”), which implement Directive 2011/92/EU of the European Parliament and of the Council of 13 December 2011, as amended by Directive 2014/52/EU (“the EIA Directive”), on the assessment of the effects of certain public and private projects on the environment, in relation to two types of project in paragraph 1 of Annex II to that Directive: projects for the restructuring of rural land holdings and projects for the use of uncultivated land or seminatural areas for intensive agricultural purposes.

The Explanatory Memorandum states that the Regulations amend the 2017 Regulations to remove the exemption for applications for restricted works on common land under section 38 of the Commons Act 2006, to ensure the EIA Directive is sufficiently complied with.

Procedure

Negative

Technical Scrutiny

No points are identified for reporting under Standing Order 21.2 in respect of this instrument.

Merits Scrutiny

No points are identified for reporting under Standing Order 21.3 in respect of this instrument.

Implications arising from exiting the European Union

These Regulations will form part of retained EU law after IP completion day (i.e. the end of the implementation period, on 31 December 2020).

Welsh Government response

A Welsh Government response is not required.

Committee Consideration

The Committee considered the instrument at its meeting on 11 January 2021 and reports to the Senedd to highlight issues as a result of the UK exiting the EU.

