

The Marine Works (Environmental Impact Assessment) (Amendment) Regulations 2017

Department for Environment, Food and Rural Affairs

**RPC rating: confirmed as a non-qualifying regulatory
provision**

Description of proposal

The amendment regulations implement EU Directive 2014/52/EU, which amends the Environmental Impact Assessment Directive¹, and amend The Marine Works (Environmental Impact Assessment) Regulations 2007, relating to environmental impact assessments (EIAs) associated with use of the marine environment. The regulations apply to applications for marine licences under specific legislation and approval of certain consents for harbour works.

Impacts of proposal

The gross annual cost of this proposal is estimated at £76,570. This results from the requirement for the appropriate authority, the Marine Management Organisation (MMO), to set out in the EIA consent decision the conditions and monitoring measures included in a marine licence. This cost is passed on to the (business) applicant. It is mainly estimated at £2,000 per application multiplied by 31 consent applications per year. The assumptions regarding cost per application and numbers of applications are based upon internal data from the MMO.

Quality of submission

The Department's assessment is that transposition does not go beyond the requirements of the current EIA Directive and that, therefore, no gold plating is involved. The RPC can confirm the measure as a non-qualifying regulatory provision that will not be accounted for under the business impact target.

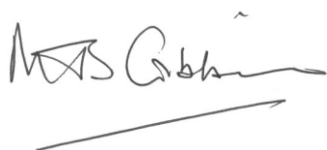
¹ Directive 85/337/EEC, as amended by directives 97/11/EC, 2003/35/EC and 2009/31/EC – codified by directive 2011/92/EU – and now 2014/52/EU.

Departmental assessment

Classification	Non-qualifying regulatory provision (EU)
Equivalent annual net direct cost to business (EANDCB)	Not applicable (low cost non-qualifying regulatory provision)

RPC assessment

Classification	Non-qualifying regulatory provision (EU)
Small and micro business assessment	Not required (low-cost regulation)



Michael Gibbons CBE, Chairman