

## **The Water Resources (Environmental Impact Assessment) (England and Wales) (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 EU Directive 2011/92/EU, and amend The Water Resources (Environmental Impact Assessment) (England and Wales) Regulations 2003, relating to environmental impact assessments (EIAs) in relation to water management projects for agriculture, including irrigation projects, in England and Wales.

### **Impacts of proposal**

The Department expects negligible impacts on business from the measure because few, if any, applications are expected under these regulations. This appears to be based on historical data, where EIAs made under the 2003 regulations have been rare.

### **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 (NQRP) that will not be accounted for under the business impact target. The Department's NQRP confirmation request document could be clearer in explaining why the number of applications is expected to be so few and what the impact of the measure would be if there were any applications.

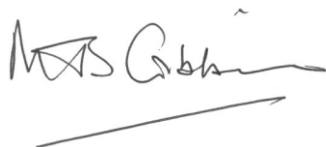
The measure is described in the assessment as reducing the need for completion of the full EIA process, as the regulations allow for better screening. It would have been helpful if the assessment had discussed this in more detail.

### 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