

Questionnaire for the report of United Kingdom on the implementation of the Convention on Environmental Impact Assessment in a Transboundary Context in the period 2019–2021

Information on the focal point for the Convention

1. Name and contact information: Ryan Shean. Ryan.shean@levellingup.gov.uk

Information on the point of contact for the Convention

2. Name and contact information (if different from above):

Information on the person responsible for preparing the report

3. Country: UK
4. Surname: Shean
5. Forename: Ryan
6. Institution: Department for Levelling Up, Housing and Communities
7. Postal address: 2 Marsham Street, London, SW1P 4DF
8. Email address: ryan.shean@levellingup.gov.uk
9. Date on which report was completed: 14th April 2022

Part one

Current legal and administrative framework for the implementation of the Convention

In this part, please provide the information requested, or revise any information relative to the previous report. Describe the legal, administrative and other measures taken in your country to implement the provisions of the Convention. This part should describe the framework for your country's implementation, and not its experience in the application of the Convention.

Please do not reproduce the text of the legislation itself but summarize and explicitly refer to the relevant provisions transposing the text of the Convention (for example, Environmental Impact Assessment Law of the Republic of ..., article 5 (3) of Government Resolution No. ..., para. ... item...)

Article 1

Definitions

I.1.1. Is the definition of the term “impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (vii)?

- (a) Yes
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):
- (d) The term “impact” is not defined in the legislation X

Your comments: The term ‘impact’ is not defined in legislation. However, Part 1 to Schedule 4 of the legislation requires that an Environmental Statement includes a description of the aspects of the environment likely to be significantly affected by the development, including, in particular, population, human health, biodiversity (for example fauna and flora), land, soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.

I.1.2. Is the definition of the term “transboundary impact” for the purpose of the Convention the same in your legislation as that contained in article 1 (viii)?

- (a) Yes, the same
- (b) Yes, with some minor differences (please explain the differences):
- (c) No, there are major differences (please explain the differences):
- (d) The term “transboundary impact” is not defined in the legislation X

Your comments: The legislation refers to development which is likely to have significant effects on the environment in another EEA State (see for example regulation 32 of the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017.)

I.1.3. Please specify how the term “major change” is defined in your national legislation:

- (a) It is not defined
- (b) By using thresholds X (Please explain: See comments)
- (c) By using criteria (Please explain:)
- (d) On a case-by-case basis (Please explain:)

Your comments: Projects listed in Appendix 1 to the Convention are listed in Schedule 1 to the regulations. They require assessment of “Any change to or extension of development listed in this Schedule where such a change or extension itself meets the thresholds, if any, of 3 description of development set out in this Schedule”. For development types not listed in Schedule 1 but in Schedule 2 “Any change to or extension of development of a description listed in Schedule 1 (other than a change or extension falling within paragraph 21 of that Schedule) or in paragraphs 1 to 12 of this Schedule, where that development is already authorised, executed or in the process of being executed, and the change or extension may have significant adverse effects on the environment.

I.1.4. How do you identify the public “of the affected Party in the areas likely to be affected”? Please specify (more than one option may apply):

- (a) Based on the geographical location of the proposed project X
- (b) By making the information available to all members of the public and letting them identify themselves as the public concerned X
- (c) By other means (please specify): Consideration of the extent of the likely impacts and where they may occur.

Your comments: Since 2016 we have consulted on all new nuclear power stations whether or not it is considered that there will be likely significant adverse transboundary impacts. For other types of development, we use available information at the scoping stage of the assessment. This may include consideration of the proposal’s proximity to other EEA states e.g. geographical location but may also include issues of interconnectivity e.g. species or hydrological connections etc.

I.1.5. How do you determine the “significance” of the environmental impact of the activities falling within the scope of the Convention?¹ Please specify (more than one option may apply), providing relevant explanations:

- (a) By establishing threshold levels X (please explain: See comments)
- (b) By applying criteria related to the location of proposed activities X (please explain: See comments)
- (c) By applying criteria related to the nature of proposed activities X (please explain: See comments)
- (d) By applying criteria related to the size of proposed activities X (please explain: See comments)
- (e) By applying criteria related to the effects of proposed activities X (please explain: See comments)
- (f) Other (please explain):
- (g) It is not determined (please explain:)

Your comments: As above. Since 2016 we have consulted on all new nuclear power stations whether or not it is considered that there will be likely significant adverse transboundary impacts. For other types of development, we use available information at the scoping stage of the assessment. This may include consideration of the proposal’s proximity to other EEA states e.g. geographical location but may also include issues of interconnectivity e.g. species or hydrological connections etc.

¹ Although the term “significance” is not explicitly defined in the Convention, appendix III thereto provides general criteria to assist in determining the environmental significance of activities not listed in appendix I.

I.1.6. Please clarify whether “cumulative impacts” are taken into account in transboundary procedures under the Convention in your national legislation and, if so, how:

(a) Yes, the legislation provides for taking into account cumulative impacts: X

Please explain: Schedule 3 of the legislation contains selection criteria for screening development and says that ‘cumulation with other existing development and/or approved development’ must be considered. Schedule 4 sets out what information must be included in an environmental statement, which must include ‘the cumulation of effects with other existing and/or approved projects, taking into account any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources.’

(b) No, the legislation does not provide for taking into account cumulative impacts

Please explain:

Your comments:

Article 2 General provisions

I.2.1. Provide information on legislative, regulatory, administrative and other measures taken in your country to implement the provisions of the Convention (art. 2 (2)):

(a) Law on environmental impact assessment (please provide exact title/reference number/year/access link, if any): *X*

(b) Environmental impact assessment provisions are transposed into another law/other laws (please specify and provide title(s) of the related legislation):

(c) Regulation (please indicate number/year/title/related articles/access links):

(d) Administrative (please indicate number/year/title/related articles/access links):

(e) Other (please specify):

Please explain: The Convention’s provisions are implemented in the UK through our domestic legislation. The requirements of Article 2.2 are transposed through multiple sets of regulations within each of the devolved administrations of the UK. Most projects are consented through the town and country planning systems in each country and are subject to the following regulations:

England: Town and Country Planning (Environmental Impact Assessment) Regulations 2017;

Northern Ireland: The Planning (Environmental Impact Assessment) Regulations (Northern Ireland) 2017;

Scotland: The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017;

Wales: Town and Country Planning (Environmental Impact Assessment)(England and Wales) Regulations 2017.

However, there is a separate development consent regime in England and Wales for larger nationally significant infrastructure projects which fall within the scope of the Planning Act 4 2008. This includes projects for the generation of electricity in excess of 50MW onshore, and in excess of 100MW offshore. Such projects are subject to the Infrastructure Planning (Environmental Impact Assessment) Regulations 2017. Similar infrastructure projects in Scotland and Northern Ireland are subject to a range of regulations, depending upon the nature of the particular proposal. Other activities, such as the extraction of minerals from the seabed, are also subject to separate regulations. To avoid repetition, unless identified otherwise, responses to this questionnaire explain the measures adopted in England and

Wales for nationally significant infrastructure projects and, where relevant, for England under town and country planning legislation. The main difference in the legal provisions relating to transboundary effects is that responsibility for consulting other Parties is the relevant Secretary of State in England, Scottish Minister in Scotland, Welsh Minister in Wales and the appropriate Council or the Department of the Environment in Northern Ireland. The exception is for nationally significant infrastructure projects in England and Wales and relevant projects in Scotland for which the Planning Inspectorate is responsible for the transboundary procedures on behalf of the Secretary of State

I.2.2. Is the list of activities referred to in appendix I to the Convention fully transposed into your country's national legislation?

(a) Yes. There is no difference, all activities referred to in appendix I are covered by national legislation

Please elaborate, as needed:

(b) No. Activities covered by national legislation differ slightly from the activities referred to in appendix I X Please explain: National legislation includes all the activities listed in Appendix 1 to the Convention but also includes other activities

(c) No, there are gaps remaining in the list of activities in the national legislation

Please explain:

I.2.3. Indicate the competent authority/authorities responsible for carrying out the environmental impact assessment procedure in your country. Please specify:

(a) There are different authorities at the national, regional and local levels X

(b) Authorities are different for domestic and transboundary procedures

(c) Authorities are the same for domestic and transboundary procedures

Please name the authority/authorities and its/their responsibilities: : For nationally significant infrastructure projects in England and Wales the Planning Inspectorate is responsible for implementing the EIA procedures and advising the relevant Secretary of State on the application for development consent (e.g. the Secretary of State for Business, Energy & Industrial Strategy for energy projects and the Secretary of State for Transport for major road and rail projects). For other projects, the local planning authority is normally responsible for implementing the domestic EIA procedures. However, the relevant Secretary of State in England, Welsh Minister in Wales, Scottish Minister in the case of projects in Scotland and the relevant Council or Department of the Environment in Northern Ireland would be responsible for implementing any transboundary procedures.

I.2.4. Is there an authority in your country that collects information on all the transboundary environmental impact assessment cases? If so, please name it:

(a) No X

(b) Yes

If "Yes", please clarify the type of information collected and provide access link, if available:

Your comments: : The focal point for transboundary EIA cases is within the Department for Levelling Up, Housing and Communities, but the relevant Government Department or devolved administration is responsible for transboundary consultation and maintains their own information bases.

Article 3 Notification

I.3.1. Article 3 (1) states that: “The Party of origin shall notify any Party which it considers may be an affected Party as early as possible and no later than when informing its own public about that proposed activity.” As a Party of origin, when do you notify the affected Parties?

- (a) During scoping
- (b) When the environmental impact assessment report has been prepared and the domestic procedure has started
- (c) After finishing the domestic procedure
- (d) At other times (please specify):

Your comments: An affected Party would be notified once the Planning Inspectorate or Secretary of State became aware of a proposed development that requires an EIA and where the Secretary of State is of the view that the development is likely to have significant impacts on the environment of another Party or where another Party, likely to be significantly affected by a development, requests that transboundary impacts are addressed. Information is sent when it becomes available. Notification can be given upon receipt of a scoping request, but may be later, for example upon receipt of the Environmental Statement – which is only in its final form with an application for development consent. In addition, developers are advised to undertake consultation with other Parties at an early stage in the development of their proposals where they believe there may be significant impacts on the environment of that Party

I.3.2. Please define the format of notification used in your country:

- (a) Notification is carried out using the tabular form in table 1 of decision I/4 on the format for notification adopted by the Meeting of the Parties at its first session (ECE/MP.EIA/2, annex IV, appendix, para. 32 and table 1)
- (b) Notification is carried out in the form of a letter containing all information detailed in decision I/4 of the Meeting of the Parties (ECE/MP.EIA/2, annex IV, appendix, para. 34)
- (c) A combination of (a) and (b) above (ECE/MP.EIA/2, annex IV, appendix, para. 35)
- (d) The country has its own format (please attach a copy)
- (e) No official format used

Your comments: : The notification format decided by the first meeting of the Parties is not followed in every single respect, but the aim is always to provide the information necessary to inform an affected Party about the nature, scale and location of a proposed activity, and will enable them to make an informed decision on whether they wish to take part in the EIA procedure. This includes sending a notification letter to the affected party. The letter provides an explanation of the transboundary process, a brief description of the development, links to the relevant documents and details of how to respond to the notification.

I.3.3. As a Party of origin, what information do you include in the notification (art. 3 (2))? Please specify (more than one options may apply):

- (a) Information on the proposed activity, including any available information on its possible transboundary impact (art. 3 (2) (a))
- (b) The nature of the possible decision (art. 3 (2) (b))
- (c) An indication of a reasonable time within which a response is required, taking into account the nature of the proposed activity (art. 3 (2) (c))
- (d) Relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments (art. 3 (5) (a))

(e) Relevant information on the proposed activity and its possible significant adverse transboundary impact (art. 3 (5) (b))

(f) Other (please specify):

Your comments: : The Stage 1 initial notification is provided primarily to make the affected Party aware of the proposed development and to enable them to state if they wish to participate in a formal transboundary procedure. The initial notification includes the available information required by article 3, paragraph 2 and information required at article 3 paragraph 5. Stage 2 of the process follows after the development consent application has been accepted ready for examination and provides opportunity for the affected Party to express its views, taking into account a complete application including Environmental Statement which is 7 publicised on our website. Again, this would include all the information required by article 3 paragraph 2 and 5.

I.3.4. Article 3 (3) requires that “The affected Party shall respond to the Party of origin within the time specified in the notification”. As a Party of origin, please indicate whether your country’s legislative or regulatory framework defines a time frame for response to the notification by the affected Party/ies and, if so, how:

(a) No, the time frame is not specified in the national legislation X

(b) Yes, the time frame is specified in the national legislation

Please indicate the time frame or its range as per your national legislation, in weeks/days:

(c) The time frame is determined and agreed with each affected Party on a case-by-case basis

Please indicate the average time frame set on a case-by-case basis, in weeks/days:

Your comments: The Secretary of State will give the affected Party a reasonable time in which to indicate whether it wishes to participate in the transboundary EIA procedure. However, the time frame could be extended if requested.

I.3.5. Please specify the consequences should a notified affected Party not comply with the time frame for responding to the notification, as required by article 3 (3), and elaborate on the possibilities of extending the deadline:

Your comments: If a Party has not responded within the deadline it is assumed that the Party does not wish to participate in the procedure in relation to the application. However, the deadline could be extended if requested.

I.3.6. Article 3 (8) states that: “The concerned Parties shall ensure that the public of the affected Party in the areas likely to be affected be informed of ... the proposed activity”. Which of the following approaches do you use to achieve this goal? Please specify:

(a) Informing the point of contact for the Convention listed on the Convention website² X

(b) Other (please specify):

Your comments:

² List available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

I.3.7. On what basis does your country, as an affected Party, make the decision to participate (or not) in the transboundary environmental impact assessment procedure? Please specify:

- (a) Notified ministry/authority of the affected Party responsible for environmental impact assessment decides on its own based on the documentation provided by the Party of origin
- (b) Based on the opinion of the competent authorities of the affected Party
- (c) Based on the opinion of the competent authorities and of the public of the affected Party
- (d) Other (please specify):

Your comments: : Following receipt of a notification from another Party about a project likely to have a significant effect on the environment of the United Kingdom, the notification and any other available papers are sent to the relevant administration/Government Department to enable them to decide whether they wish to participate in the EIA procedure.

I.3.8. Article 3 (5) (a) states that the Party of origin must provide affected Parties with “relevant information regarding the environmental impact assessment procedure, including an indication of the time schedule for transmittal of comments”.

How does your country, as a Party of origin, determine the time schedule referred to in article 3 (5) (a)? Please specify:

- (a) Following the rules and procedures of the Party of origin
- (b) Following the rules and procedures of the affected Party/ies
- (c) A combination of (a) and (b) above. Please specify the rules and procedures of the Party of origin and the affected Party/ies that are applied in the combination:
- (d) Other (please specify): X

Your comments: The normal timeframe for consultation responses under the Infrastructure Planning EIA Regulations is 28 days.

The Secretary of State will agree a reasonable consultation period with the affected Party and where no agreement is already in place with that Party, this will be done on a case by case basis. It is considered that a 6-week period is reasonable for nationally significant infrastructure projects and in order to meet the statutory examination deadline it should in any event close no later than the expiry of the first month in the examination period. The town and country planning regulations refer to ‘a reasonable time’ for the authorities and public of the affected Party to participate. The affected Party is routinely invited to join an examination as an interested party which affords them a formal status in the process and is an additional option outside of what is required by the EIA procedures. As explained above, the UK would provide an affected Party with a copy of the application, the Environmental Statement (including a translation of the Non-Technical Summary into a relevant language) and any relevant information on the procedures not provided previously. Any comments received from the competent authorities or members of the public of the affected Party would be taken into account in the final decision.

Articles 2 (6), 3 (8) and 4 (2) Public participation

I.3.9. Article 2 (6) of the Convention states that: “The Party of origin shall provide an opportunity to the public in the areas likely to be affected to participate in relevant environmental impact assessment procedures and shall ensure that the opportunity provided to the public of the affected Party is equivalent to that provided to the public of the Party of origin.”

How does your country’s environmental impact assessment legislation ensure that equivalent opportunities and rights to participate in the procedure are provided for the public of the affected Party?

- (a) As an affected Party:
- (i) Not specified in the national legislation, but it is determined and agreed with the Party of origin on a case-by-case basis at the beginning of the transboundary procedure X
 - (ii) Specified in the national legislation as follows:

Your comments:

- (b) As a Party of origin:
- (i) Not specified in the national legislation; such equivalent opportunities and rights cannot be ensured in the procedure

Please explain:

- (ii) Not specified in the national legislation, but it is determined and agreed with the affected Party on a case-by-case basis at the beginning of the transboundary procedure X
- (iii) Specified in the national legislation as follows:

Your comments:

I.3.10. How can the public of your country, as an affected Party, express its opinion on the environmental impact assessment documentation of the proposed project further to articles 2 (6), 3 (8) and 4 (2)? Please specify (more than one option may apply):

- (a) By sending comments in writing directly to the competent authority of the Party of origin, or to the ministry responsible for environmental affairs/focal point in the affected Party X
- (b) In a territory of the affected Party: by taking part in consultations [on the basis of the environmental impact assessment documentation] or a special event, where the opinions of the public are officially registered
- (c) In a territory of the Party of origin: by taking part in consultations or a special event, where the opinions of the public are officially registered
- (d) Other (please specify):

Your comments: Where the UK receives information gathered from the applicant of a proposed project in another State which is likely to have significant effects on the environment in the UK, the UK arranges for the information to be made available, within a reasonable time, both to the relevant authorities (which it considers are likely to be concerned by the project by reason of the specific environmental responsibilities or local or regional competences) and to the public concerned. Accordingly the UK places an advert in all local newspapers in that local council area advising where the information is available to view and how to make a representation.

Article 4

Preparation of the environmental impact assessment documentation

I.4.1. How do you determine the relevant information to be included in the environmental impact assessment documentation in accordance with article 4 (1)? Please specify (more than one option may apply):

- (a) By using appendix II
- (b) By using the comments received from the authorities concerned during the scoping phase, if applicable X
- (c) By using the comments received from members of the public during the scoping phase, if applicable X
- (d) As determined by the proponent based on its own expertise X
- (e) By using other means (please specify): Schedule 4 of the Regulations set out the minimum requirements for the content of the EIA documentation.

Your comments: The EIA documentation is contained in an 'Environmental Statement'. There are no legal requirements in the United Kingdom for the form of the Environmental Statement. It may consist of one or more documents, but it must constitute a 'single and accessible compilation'. The Environmental Statement must contain (Schedule 4 Part 2 of the Regulations):

1. A description of the development, including in particular— (a) a description of the location of the development; (b) a description of the physical characteristics of the whole development, including, where relevant, requisite demolition works, and the land-use requirements during the construction and operational phases; (c) a description of the main characteristics of the operational phase of the development (in particular any production process), for instance, energy demand and energy used, nature and quantity of the materials and natural resources (including water, land, soil and biodiversity) used; (d) an estimate, by type and quantity, of expected residues and emissions (such as water, air, soil and subsoil pollution, noise, vibration, light, heat, radiation and quantities and types of waste produced during the construction and operation phases.
2. A description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.
3. A description of the relevant aspects of the current state of the environment (baseline scenario) and an outline of the likely evolution thereof without implementation of the development as far as natural changes from the baseline scenario can be assessed with reasonable effort on the basis of the availability of environmental information and scientific knowledge.
4. A description of the factors specified in regulation 5(2) likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.
5. A description of the likely significant effects of the development on the environment resulting from, inter alia— 37 (a) the construction and existence of the development, including, where relevant, demolition works; (b) the use of natural resources, in particular land, soil, water and biodiversity, considering as far as possible the sustainable availability of these resources; (c) the emission of pollutants, noise, vibration, light, heat and radiation, 12 the creation of nuisances, and the disposal and recovery of waste; (d) the risks to human health, cultural heritage or the environment (for example due to accidents or disasters); (e) the cumulation of effects with other existing and/or approved projects, taking into account

any existing environmental problems relating to areas of particular environmental importance likely to be affected or the use of natural resources; (f) the impact of the project on climate (for example the nature and magnitude of greenhouse gas emissions) and the vulnerability of the project to climate change; (g) the technologies and the substances used. The description of the likely significant effects on the factors specified in regulation 5(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, medium-term and long-term, permanent and temporary, positive and negative effects of the development. This description should take into account the environmental protection objectives established at Union or Member State level which are relevant to the project, including in particular those established under Council Directive 92/43/EEC(a) and Directive 2009/147/EC(b).

6. A description of the forecasting methods or evidence, used to identify and assess the significant effects on the environment, including details of difficulties (for example technical deficiencies or lack of knowledge) encountered compiling the required information and the main uncertainties involved.

7. A description of the measures envisaged to avoid, prevent, reduce or, if possible, offset any identified significant adverse effects on the environment and, where appropriate, of any proposed monitoring arrangements (for example the preparation of a post-project analysis). That description should explain the extent, to which significant adverse effects on the environment are avoided, prevented, reduced or offset, and should cover both the construction and operational phases.

8. A description of the expected significant adverse effects of the development on the environment deriving from the vulnerability of the development to risks of major accidents and/or disasters which are relevant to the project concerned. Relevant information available and obtained through risk assessments pursuant to EU legislation such as Directive 2012/18/EU of the European Parliament and of the Council(c) or Council Directive 2009/71/Euratom(d) or UK environmental assessments may be used for this purpose provided that the requirements of this Directive are met. Where appropriate, this description should include measures envisaged to prevent or mitigate the significant adverse effects of such events on the environment and details of the preparedness for and proposed response to such emergencies.

9. A non-technical summary of the information provided under paragraphs 1 to 8. 10. A reference list detailing the sources used for the descriptions and assessments included in the environmental statement

I.4.2. Article 4 states that: “The environmental impact assessment documentation... shall contain, as a minimum, the information described in appendix II.” What quality control measures are provided for in the legislative or administrative framework of your country, as a Party of origin, to ensure sufficient quality of the documentation? Please specify:

(a) The competent authority checks the information provided and ensures that it includes all information required under appendix II as a minimum before making it available for comments X

(b) By using quality checklists based on the requirements listed in appendix II

(c) There are no specific procedures or mechanisms

(d) Other (please specify):

Your comments: : There is a requirement in domestic legislation that Environmental Statements are prepared by ‘competent experts’. Where an applicant submits an Environmental Statement with a planning application, the planning authority will publish a notice in the press, post site notices and indicate where documents can be inspected and obtained. The planning authority will consult with statutory consultees, inform persons having an interest, place the Environmental Statement on the planning register and send copies of the Environmental Statement to the Secretary of State. If the local planning authority considers that insufficient information has been supplied, they will ask the applicant for further information. The planning authority will then consider any representations on the

Environmental Statement and make a decision on the planning application taking into account the information in the Environmental Statement, any representations received (including from the consultation bodies and the public) and any other material considerations. If the applicant submits an Environmental Statement after a planning application has been 11 submitted, the applicant is responsible for publishing the notice in the press, posting site notices and indicating where documents can be inspected and obtained.

I.4.3. How do you determine “reasonable alternatives” in accordance with appendix II (b)?

- (a) On a case-by-case basis
- (b) As defined in the national legislation (please specify): X
- (c) Other (please specify):

Your comments: Scoping is not mandatory in the United Kingdom. For nationally significant infrastructure projects, the applicant has the opportunity to ask the Secretary of State for a formal written opinion on the information to be included in the Environmental Statement. This is known as a scoping opinion. The Secretary of State must adopt a scoping opinion within 21 days of receiving a scoping request (Regulation 10(6)). Before adopting a scoping opinion the Secretary of State must consult the prescribed consultation bodies, which have 28 days to respond (Regulation 10(11)). The Secretary of State may also consult 13 relevant nonprescribed consultation bodies. Similar provisions apply to projects subject to other EIA Regulations although the request for a scoping opinion is normally to the planning authority which has to adopted a scoping opinion within 5 weeks (or a longer period where agreed in writing with the person making the request). Where an authority fails to adopt a scoping opinion within the relevant period, the person who requested the opinion may ask the Secretary of State to make a direction as to the information to be provided in the Environmental Statement (a “scoping direction”).

Article 5

Consultations on the basis of the environmental impact assessment documentation

I.5. Does your national environmental impact assessment legislation provide for organizing transboundary consultations between the authorities of the Parties concerned?

- (a) Yes, it is obligatory
- (b) Yes, it is optional (please specify):
- (c) No, it does not have any provision on that X

Your comments: The legislation does not set out the form or process that consultations must take.

Article 6

Final decision

I.6.1. Please select from the list below the information that your country, as a Party of origin, in accordance with its legislative and administrative framework, should take due account of in the final decision on the proposed activity (art. 6 (1)):

- (a) Conclusions of the environmental impact assessment documentation X
- (b) Comments received in accordance with articles 3 (8) and 4 (2) X
- (c) Outcome of the consultations as referred to in article 5 X
- (d) Outcomes of the transboundary consultations X

- (e) Comments received from the affected Party/ies X
- (f) Mitigation measures X
- (g) Other (please specify):

Your comments:

I.6.2. Are the comments of the authorities and the public of the affected Party and the outcome of the consultations taken into consideration in the same way as the comments from the authorities and the public in your country (art. 6 (1))?:

- (a) Yes X
- (b) No Please explain the differences

Your comments:

I.6.3. According to article 6 (3): If additional information on the significant transboundary impact of a proposed activity, which was not available at the time a decision was made with respect to that activity and which could have materially affected the decision, becomes available to a concerned Party before work on that activity commences, that Party shall immediately inform the other concerned Party or Parties. If one of the concerned Parties so requests, consultations shall be held as to whether the decision needs to be revised.

Is there any regulation in your country that ensures the implementation of the provisions of article 6 (3)?

- (a) No
- (b) Yes, by legislation X (please specify): paragraph 3(4) of Schedule 2 to the Planning Act 2008. (c) Yes, by other means (please specify):

Your comments: There are ways in which additional information can be taken into account in relation to a decision already taken on development consent under the Planning Act 2008 (which delivers large infrastructure projects within England and Wales): a. the order granting development consent may well have requirements allowing for the detailed delivery of the project consented, that could accommodate taking into account new information; b. in any complex project, there are likely to be further permits or consents that are required under other regulatory regimes, and these could take into account additional information; c. the applicant (or successor), a person with an interest in the order land or any other person for whose benefit the order has effect may apply for the modification or revocation of the order granting development consent under paragraph 3(4) of Schedule 2 to the Planning Act 2008; and d. it is possible for a development consent order to be modified or revoked by the Secretary of State without an application under paragraph 3(7) of Schedule 2 to the Planning Act 2008, either on the grounds that it would be contrary to EU law (or the domestic Human Rights Act 1998) to proceed with the development or on the grounds that the new information constitutes exceptional circumstances such that it is appropriate to modify or revoke the original order.

I.6.4. Do all activities listed in appendix I (items 1–22) and major changes thereto require a final decision to authorize or undertake such an activity in your legislative framework?

- (a) Yes X
- (b) No

If “No”, please list those activities listed in appendix I or major changes thereto for which there is no requirement for a final decision. Please explain why those activities/major changes do not require a final decision in your national legislation.

Article 7

Post-project analysis

I.7. Is there any provision regarding implementation of post-project analysis in your national environmental impact assessment legislation (art. 7 (1))?

- (a) No
- (b) Yes Please specify:

Your comments: However, monitoring can be required, where appropriate, through requirements/conditions attached to a development consent order, marine licence (deemed or otherwise), or to an environmental permit.

Article 8

Bilateral and multilateral cooperation

I.8.1. According to article 8: “The Parties may continue existing or enter into new bilateral or multilateral agreements or other arrangements in order to implement their obligations under this Convention and under any of its protocols to which they are a Party. Such agreements or other arrangements may be based on the elements listed in appendix VI.”

Has your country established any bilateral or multilateral agreements to implement the Convention?

- (a) No
- (b) Yes Please specify with which countries:

If publicly available, please also attach the texts of any such bilateral and multilateral agreements, preferably in English, French or Russian.

Your comments:

I.8.2. What issues do these bilateral agreements cover (appendix VI)? (More than one option may apply):

- (a) Specific conditions of the subregion concerned
- (b) Institutional, administrative and other arrangements
- (c) Harmonization of the Parties’ policies and measures
- (d) Developing, improving and/or harmonizing methods for the identification, measurement, prediction and assessment of impacts, and for post-project analysis
- (e) Developing and/or improving methods and programmes for the collection, analysis, storage and timely dissemination of comparable data regarding environmental quality in order to provide input into the environmental impact assessment
- (f) Establishment of threshold levels and more specified criteria for defining the significance of transboundary impacts related to the location, nature or size of proposed activities
- (g) Undertaking joint environmental impact assessment, development of joint monitoring programmes, intercalibration of monitoring devices and harmonization of methodologies
- (h) Other, please specify:

Your comments:

Complimentary information related to legal implementation of the Convention

I.9.1. Please describe how the steps required under your national legislation for carrying out a transboundary procedure are interlinked with a domestic environmental impact assessment procedure in the lead-up to the final decision.

In doing so, please also describe differences between the steps (i.e. screening/scoping, preparation of the environmental impact assessment, consultation, public participation, making a final decision) of a domestic procedure and a transboundary procedure, if any:

Alternatively, this question can be answered or supported by a schematic flow chart showing these steps.

Your comments: Local planning authorities are required to send a copy of every Environmental Statement and related planning application to the Secretary of State within two weeks of receipt. This is to enable consideration of whether the proposed development is likely to have significant effects on the environment of any other State that is party to the Espoo Convention. This aside there are no differences in the procedures for screening/scoping or for preparation of the environmental impact assessment. Where there may be transboundary impacts the Secretary of State must send information about the development to the government of the affected country, and invite them to participate in the consultation procedures, determining with them a reasonable timescale to allow them to do so. The rest of the process does not differ (see flowchart setting out procedure for submitting and evaluating EIA applications)

Nationally Significant Infrastructure Projects are screened for transboundary effects on an ongoing basis through pre app (usually aligning with EIA scoping and acceptance stages, although can be more frequent). Regulation 32 EIA (Infrastructure Planning) Regs implements the Espoo directive for NSIPs where significant transboundary effects are likely. Decisions are ultimately taken by the Secretary of State having regard to these duties.

I.9.2. Does your country have special provisions or informal arrangements concerning transboundary environmental impact assessment procedures for joint cross-border projects, the construction of nuclear power plants and/or their lifetime extension?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input checked="" type="checkbox"/>	(a) No <input type="checkbox"/>	(a) No <input checked="" type="checkbox"/>
(b) Yes <input type="checkbox"/>	(b) Yes <input checked="" type="checkbox"/>	(b) Yes <input type="checkbox"/>
(i) Special provisions:	(i) Special provisions:	(i) Special provisions:
(ii) Informal arrangements:	(ii) Informal arrangements:	(ii) Informal arrangements:
Please explain:	Please explain:	Please explain:

Your comments: Special procedures in respect of nuclear power applications under the Planning Act 2008 are to undertake screening and notify where significant effects are likely as with all projects. Notification/consultation letters will invite participation from relevant countries. All EEA states and Parties to the Espoo Convention are written to to inform them of the project and give the same information and opportunity to participate as if a significant effect were likely, although being clear that significant effects are not likely to occur.

Part two

Practical application during the period 2019–2021³

Please report on your country's practical experiences in applying the Convention (not your country's procedures, as described in part one), whether as a Party of origin or as an affected Party. The focus here is on identifying good practices as well as difficulties Parties have encountered in applying the Convention in practice. The goal is to enable Parties to share solutions. Please therefore provide appropriate examples highlighting application of the Convention and innovative approaches to improving its application.

Part two also focuses on general issues arising from the sixth review of implementation of the Convention (2016–2018)^a and issues that have been identified as priorities by Parties in the 2021–2023 workplan.^b It also addresses the goals of the Long-term strategy and the action plan for the Convention and the Protocol that requires that the reviews of implementation be adapted, in particular, “to maximize their usefulness as a source of information, highlight progress achieved, draw attention to areas that need improvement, disseminate best practice ...”.^c

^a United Nations publication, ECE/MP.EIA/32.

^b ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/2–IV/2.

^c ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1, decision VIII/3–IV/3, annex, item II.A.9.

A. List of transboundary procedures initiated during the period 2019–2021

II.1. Please indicate, in the table provided in annex I to the present questionnaire, the total number of transboundary environmental impact assessment procedures initiated in the reporting period in relation to activities listed in appendix I to the Convention and in which your country was a Party of origin or affected Party. Please also indicate the number and types of transboundary procedures related to activities not listed in appendix I that your country implemented in the reporting period as a Party of origin or as an affected Party, if any.

Your comments: Table populated for Nationally Significant Infrastructure Projects

II.2. Please list transboundary environmental impact assessment procedures referred to in question II.1. above using table 1 of annex II to the present questionnaire for procedures in which your country was a Party of origin and table (2) for procedures in which your country was an affected Party.

Your comments:

II.3. According to paragraph 10 of decision VIII/5 of the Meeting of the Parties the project lists referred to in question II.2 above and annex II to the present questionnaire are to be posted on the ECE website. Should your country object to this, however, please indicate “Yes” and explain, as relevant:

(a) Yes (my country has an objection the compilation and posting of this information)

Please explain:

(b) No (no objection) X

³ Part II of this questionnaire is not considered to be a reporting obligation according to the Convention. Parties are encouraged to share examples of good practice, subject to their capabilities and the availability of relevant data.

Your comments:

B. Experience in the transboundary environmental impact assessment procedure during the period 2019–2021

Please share with other Parties your country's experience of using the Convention in practice. When responding to each of the questions below, please provide one or two practical examples and/or describe your country's general experience. You might also include examples of lessons learned in order to help others.

II.4. Please provide at least one example of the implementation of the Convention for an activity listed in appendix I to the Convention based on the template contained in annex III to the present questionnaire.

Your comments: NSIP examination process seeks to engage / invite participation of EEA states in the examination process by aligning transboundary duties of the SoS with the Examination process to best influence decision making. Generally engagement can be limited and non-UK parties have less understanding of UK processes / steps in the NSIP process which we have tried to set out in guidance through advice notes.

Special procedure for nuclear projects is a complex process and seeks to respond to findings of previous sittings / committee meetings. Additional measures in place (eg press notices, newspaper adverts) are an attempt to fulfil a proportionate approach in seeking to alert the public outside of the UK despite the fact that likely significant effects on the environment in other states are considered very limited by the Secretary of State. A transboundary process is also undertaken as part of the setting of energy policy under the National Policy Statements and sustainability appraisal, so there exists an opportunity for other parties to engage in that process.

II.5. The Convention does not refer to the translation of environmental impact assessment documentation and to other language-related issues as important prerequisites for providing effective public participation of potentially affected Parties in a transboundary procedure. As an affected Party, please specify in which language(s) the environmental impact assessment documentation is made available for your own public to ensure effective public participation in transboundary procedures. (You may select several options, as needed):

- (a) In the official language(s) of the country Please specify:
- (b) Information in English is acceptable
- (c) Please list other languages that fulfil the requirements of effective public participation in your country, if applicable:

Your comments: Practice in NSIPs has been that any submissions in foreign languages are translated such that they can be understood by PINS / Examining Inspectors / Secretary of State, however only the original is translated. In some instances, thought is required as to the level of technical expertise in the translation (eg for complex HRA matters to ensure no loss of accuracy in the subject matter and terminology of the translation).

Where we have requests from other EEA states for translations of application documents into their languages, we have considered such requests on a case by case basis. Given the scale and complexity of the documents that form the ES, it is not reasonable to expect wholesale translation but we did, for example, translate the NTS for Wylfa into German and sent it to the German Espoo focal point as requested.

II.6. What difficulties has your country experienced with regard to translation of environmental impact assessment documentation and interpretation during consultation meetings with authorities, or during events organized within the public participation procedure, if applicable, and what solutions has it found?

- (a) Experience with regard to translation of the environmental impact assessment documentation
 - (i) As a Party of origin:
 - (ii) As an affected Party:
- (b) Experience with regard to interpretation during consultation meetings with authorities
 - (i) As a Party of origin:
 - (ii) As an affected Party:
- (c) Experience with regard to interpretation during public participation-related events
 - (i) As a Party of origin:
 - (ii) As an affected Party:

Your comments: As above. Requests for largescale / wholesale translations of EIA documents can be disproportionately time-consuming and expensive and considered unnecessary if the request is from a country where we are not identifying likely significant effects

II.7. Which Party covers the cost of translation of environmental impact assessment documentation?

- (a) As a Party of origin:
- (b) As an affected Party:
- (c) Other, please specify:

Your comments: As necessary

II.8. What parts of the environmental impact assessment documentation does your country usually translate/require to be translated?

- (a) As a Party of origin:
- (b) As an affected Party:

Your comments: As necessary

II.9. Has the issue of translation been addressed in bilateral agreements between your country and other Parties?

- (a) Yes Please explain how it has been addressed:
- (b) No X

Your comments:

II.10. As a Party of origin, how and in which language do you usually provide environmental impact assessment documentation to the affected Party?

- (a) A full set of environmental impact assessment documentation is translated into English
- (b) Selected parts of the documentation are translated in English
Please specify which parts are translated and how they are selected
- (c) A full set of environmental impact assessment documentation is translated into the affected Party's language

(d) Selected parts of environmental impact assessment documentation are translated into the language of the affected Party
 Please specify which parts are translated and how they are selected

(e) Other (please specify)

Your comments: In English

II. 11. Please indicate how the costs of interpretation during the events organized within the public participation procedure are covered:

(a) By the developer: Please explain:

(b) By the Party of origin alone: Please explain

(c) By the affected Party alone: Please explain

(d) Shared by both Parties concerned upon an agreement:

(e) Please provide details of related agreements and considerations based on which the Parties concerned agreed to share the translation costs:

(f) Other (please specify)

Your comments: As necessary

II.12. Please describe any difficulties that your country has encountered during public participation procedures and consultations referred to in articles 2 (5), 3 (8), 4 (2) and 5 with regard to issues not covered above; for example, with regard to time frames for the duration of public participation and the consultation period and the need for additional information:

(a) As a Party of origin:

(i) Experience with public participation

(ii) Experience with consultations under article 5

(b) As an affected Party:

(i) Experience with public participation

(ii) Experience with consultations under article 5

Your comments:

II.13. Has your country carried out post-project analyses in the period 2019–2021:

(a) No X

(b) Yes

Please list the projects for which post-project analysis was carried out, describing challenges and lessons learned, if any:

Your comments:

II.14. Does your country have successful examples of organizing transboundary environmental impact assessment procedures in any of the categories of projects indicated below?

<i>Joint cross-border projects</i>	<i>Construction of nuclear power plants</i>	<i>Lifetime extension of nuclear power plants</i>
(a) No <input type="checkbox"/>	(a) No <input type="checkbox"/>	(a) No <input type="checkbox"/>
(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>	(b) Yes <input type="checkbox"/>

If “Yes”, please describe what, in your opinion, made it successful, for example, means of cooperation (for example, contact points, joint bodies, bilateral agreements, special and

common provisions, etc.), institutional arrangements, and how practical matters are dealt with (for example, translation, interpretation, transmission of documents, etc.):

- (a) For joint cross-border projects:
- (b) For construction of nuclear power plants:
- (c) For lifetime extension of nuclear power plants:

You may also wish to describe the example using annex III to the present questionnaire.

Your comments:

II.15. Please provide examples from your experience during the reporting period (either complete cases or elements such as notification, consultation and public participation) for the information of Parties that, in your view, constitute good practice or lessons learned on various topics:

Your comments:

II.16. The Long-term strategy and the action plan for the Convention and the Protocol⁴ recommends enhancing the use of the networks of national focal points for administrative matters⁵ and points of contact for notification⁶ published on the website of the Convention. Does your country use the networks for contacting the affected Parties' authorities?

- (a) Yes, my country makes use of the networks X
- (b) My country is aware of the networks but is not using them

Please explain why, and describe the alternative ways used by your country to identify which competent authority of the affected Party to contact:

Your comments:

II.17. Please specify what quality control measures your country, as a Party of origin, applies to ensure sufficient quality of environmental impact assessment documentation and, in particular, that said documentation contains, as a minimum, information described in appendix II to the Convention.

Your comments: There is a requirement in domestic legislation that Environmental Statements are prepared by 'competent experts'. Where an applicant submits an Environmental Statement with a planning application, the planning authority will publish a notice in the press, post site notices and indicate where documents can be inspected and obtained. The planning authority will consult with statutory consultees, inform persons having an interest, place the Environmental Statement on the planning register and send copies of the Environmental Statement to the Secretary of State. If the local planning authority considers that insufficient information has been supplied, they will ask the applicant for further information. The planning authority will then consider any representations on the Environmental Statement and make a decision on the planning application taking into account the information in the Environmental Statement, any representations received (including from the consultation bodies and the public) and any other material considerations. If the applicant submits an Environmental Statement after a planning application has been 11 submitted, the applicant is responsible for publishing the notice in the press, posting site notices and indicating where documents can be inspected and obtained.

⁴ ECE/MP.EIA/2020/3–ECE/MP.EIA/SEA/2020/3, item II.A.7.

⁵ List of Focal Points for Administrative Matters, available at <https://unece.org/environment-policy/environmental-assessment/focal-points-administrative-matters>.

⁶ List of Points of Contact regarding Notification, available at <https://unece.org/environment-policy/environmental-assessment/points-contact-regarding-notification>.

II.18. Please specify whether alternatives are assessed in the environmental impact assessment documentation and, if so, how. If possible, provide at least one example of such assessment, either as a Party of origin or as an affected Party, or both

Your comments: Yes. EIA require a description of the reasonable alternatives (for example in terms of development design, technology, location, size and scale) studied by the developer, which are relevant to the proposed project and its specific characteristics, and an indication of the main reasons for selecting the chosen option, including a comparison of the environmental effects.

II.19. Please specify whether the following issues are considered in the environmental impact assessment documentation:

- (a) Biodiversity X
- (b) Climate change X
- (c) Circular economy
- (d) Sustainable Development Goal implementation
- (e) Smart and sustainable cities
- (f) Sustainable infrastructure
- (g) Renewables
- (h) Other issues not listed above (please specify):

Please provide at least one example of how one of the above-mentioned issues is addressed in the environmental impact assessment documentation:

You may wish to use the template in annex III to the questionnaire.

Your comments: Other issues may be considered as necessary. EIA documentation must include a description of the following factors likely to be significantly affected by the development: population, human health, biodiversity (for example fauna and flora), land (for example land take), soil (for example organic matter, erosion, compaction, sealing), water (for example hydromorphological changes, quantity and quality), air, climate (for example greenhouse gas emissions, impacts relevant to adaptation), material assets, cultural heritage, including architectural and archaeological aspects, and landscape.

II.20. Please indicate whether, in your country's practice, cumulative impacts are taken into account during the assessment under the Convention and, if so, how:

- (a) No
- (b) Yes X

If "Yes", please provide at least one example of how cumulative impacts are considered.

Your comments: EIA documentation must include a description of the likely significant effects of the development on the environment resulting from the cumulation of effects with other existing and/or approved projects. The description of the likely significant effects on the factors specified in regulation 5(2) should cover the direct effects and any indirect, secondary, cumulative, transboundary, short-term, mediumterm and long-term, permanent and temporary, positive and negative effects of the development.

II.21. Please indicate whether health issues are taken into account in your country during the assessment under the Convention in practice and, if so, how:

- (a) No
- (b) Yes X

If "Yes", please provide at least one example of how health issues are taken into account

Your comments: , Part 1 to Schedule 4 of the legislation requires that an Environmental Statement includes a description of the aspects of the environment likely to be significantly affected by the development, including human health.

II.22. Please indicate whether environmental impact assessments implemented in your country can be considered to have contributed to the implementation of Sustainable Development Goals and their specific targets:

(a) No, there is no evidence that environmental impact assessments contribute to the attainment of Sustainable Development Goals

(b) Yes, (certain) environmental impact assessments significantly contributed to the attainment of Sustainable Development Goals

(c) Yes, (certain) environmental impact assessments contributed somewhat to the attainment of Sustainable Development Goals X

If “Yes”, please list the most relevant Sustainable Development Goals⁷ (and their targets) and provide [at least one] example[s] of how environmental impact assessment has contributed to their attainment.

Your comments:

⁷ In 2017, the Meetings of the Parties acknowledged that the Convention and, in particular the Protocol, contribute to the achievement of the Sustainable Development Goals (ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1, decision VII/7–III/6, Minsk Declaration, para. 7). Selected examples of Sustainable Development Goal targets that strategic environmental assessment could help to implement include the following (see informal document to the fifth meeting of the Working Group (Geneva, 11–15 April 2016):

- (a) Sustainable Development Goal 3 – Ensure healthy lives and promote well-being for all at all ages (targets 3.9 and 3.d);
- (b) Sustainable Development Goal 6 – Ensure availability and sustainable management of water and sanitation for all (targets 6.3, 6.5–6.6 and 6.a–6.b);
- (c) Sustainable Development Goal 7 – Ensure access to affordable, reliable, sustainable and modern energy for all (targets 7.2 and 7.a);
- (d) Sustainable Development Goal 8 – Promote sustained, inclusive and sustainable economic growth, full and productive employment and decent work for all (target 8.4);
- (e) Sustainable Development Goal 9 – Build resilient infrastructure, promote inclusive and sustainable industrialization and foster innovation (targets 9.1 and 9.4);
- (f) Sustainable Development Goal 11 – Make cities and human settlements inclusive, safe, resilient and sustainable (targets 11.3–11.4, 11.6 and 11.a–11.b);
- (g) Sustainable Development Goal 12 – Ensure sustainable consumption and production patterns (targets 12.2 and 12.4–12.5);
- (h) Sustainable Development Goal 13 – Take urgent action to combat climate change and its impacts (targets 13.1–13.3);
- (i) Sustainable Development Goal 14 – Conserve and sustainably use the oceans, seas and marine resources for sustainable development (target 14.1);
- (j) Sustainable Development Goal 15 – Protect, restore and promote sustainable use of terrestrial ecosystems, sustainably manage forests, combat desertification, and halt and reverse land degradation and halt biodiversity loss (targets 15.1 and 15.4);
- (k) Sustainable Development Goal 16 – Promote peaceful and inclusive societies for sustainable development, provide access to justice for all and build effective, accountable and inclusive institutions at all levels (targets 16.6–16.7 and 16.10);
- (l) Sustainable Development Goal 17 – Strengthen the means of implementation and revitalize the global partnership for sustainable development (targets 17.13 and 17.16–17.17).

For more details, see ECE/MP.EIA/WG.2/2016/5/INF.16, available at http://staging2.unece.org.net4all.ch/fileadmin/DAM/env/eia/documents/WG2.5_April2016/Informal_document_16_ece.mp.eia.wg.2.2016.INF.16__Sustainable_Development_Goal_Mapping.pdf.

C. Experience in using the available guidance documents in 2019–2021

II.23. Have you used in practice the following guidance, adopted by the Meeting of the Parties and available online?

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Guidance on Public Participation in Environmental Impact Assessment in a Transboundary Context (ECE/MP.EIA/7)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Guidance on subregional cooperation (ECE/MP.EIA/6, annex V, appendix)	I use it <input type="checkbox"/> I do not use it <input checked="" type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Guidance on the Practical Application of the Espoo Convention (ECE/MP.EIA/8)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	
Guidance on the applicability of the Convention to the lifetime extension of nuclear power plants (ECE/MP.EIA/2020/9)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	

<i>Title of guidance document</i>	<i>Use of guidance</i>	<i>Your comments and/or suggestions for improving or supplementing the guidance</i>
Good Practice	I use it <input checked="" type="checkbox"/>	
Recommendations on the Application of the Convention to Nuclear Energy-related Activities (ECE/MP.EIA/24)	I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	
Revised Guidelines on Environmental Impact Assessment in a Transboundary Context for Central Asian Countries (ECE/MP.EIA/28)	I use it <input type="checkbox"/> I do not use it <input checked="" type="checkbox"/> Please specify: (i) I am not aware of the document <input type="checkbox"/> (ii) The document is not relevant <input type="checkbox"/> (iii) The document is outdated and needs revision <input type="checkbox"/>	
Guidance on Notification according to the Espoo Convention (ECE/MP.EIA/12)	I use it <input checked="" type="checkbox"/> I do not use it <input type="checkbox"/> Please specify: (i) I am not aware of the guidance <input type="checkbox"/> (ii) The guidance is not relevant <input type="checkbox"/> (iii) The guidance is outdated and needs revision <input type="checkbox"/>	

Your comments:

D. Clarity of the Convention

II.24. Has your country had difficulties implementing the procedures defined in the Convention, either as a Party of origin or as an affected Party, because of a lack of clarity of the provisions?

No

Yes Please indicate which provisions and how they are unclear:

Your comments:

E. Contributions to the funding of the workplans

II.25. Please indicate whether the information regarding contributions to the trust fund was already provided by your country in the responses to the questionnaire concerning the Protocol and covered both the Convention and the Protocol:

(i) Yes

(ii) No

If “No”, please provide the information regarding the contributions to the trust fund below.

Your comments:

II.26. Through paragraph 4 of decision VII/4–III/4, applicable for the period 2017–2020, the Meetings of the Parties to the Convention and the Protocol jointly “urge[d] all Parties to contribute to ensuring sustainable funding of activities and an equitable and proportionate sharing of the financial burden among the Parties”.⁸ For the period 2021–2023, by paragraph 1 of decision VIII/1–IV/1, regarding funding of the adopted workplans, the Meeting of the Parties decided that “all the Parties have a duty to contribute to the sharing of the costs that are not covered by the United Nations regular budget”.⁹

(a) Please indicate whether your Government contributed to the funding of the workplans during the reporting period, indicating also the currency and the amount of the contribution:

(i) My Government made a multi-year contribution for the period 2017–2020

Please indicate when the contribution was provided (year), amount and currency:

(ii) Individual contribution in 2019

Yes Amount and currency:

No Please explain the reason:

(iii) Individual contribution in 2020:

Yes Amount and currency:

No Please explain the reason:

(iv) Individual contribution in 2021:

Yes Amount and currency:

No Please explain the reason:

(v) Please indicate any plans of your country to contribute for the period 2021–2023

(b) Did your country make in-kind contributions in the reporting period?

Yes Please describe how: Resource provided in developing the Guidance on the applicability of the Convention to the lifetime extension of nuclear power plants.

No Please explain the reason

F. Suggested improvements to the report

II.27. Please provide further suggestions (preferably specific drafting proposals including wording suggestions) for how this report could be improved.

⁸ ECE/MP.EIA/23/Add.1–ECE/MP.EIA/SEA/7/Add.1.

⁹ ECE/MP.EIA/30/Add.1–ECE/MP.EIA/SEA/13/Add.1.

Annex I

Number of transboundary procedures initiated by your country, as a Party of origin, and participated in, as an affected Party, in the reporting period

<i>Activities listed in appendix I to the Convention</i>	<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
1. Crude oil refineries (excluding undertakings manufacturing only lubricants from crude oil) and installations for the gasification and liquefaction of 500 metric tons or more of coal or bituminous shale per day.		
2. (a) Thermal power stations and other combustion installations with a heat output of 300 megawatts or more;		
2. (b) Nuclear power stations and other nuclear reactors, including the dismantling or decommissioning of such power stations or reactors 1/ (except research installations for the production and conversion of fissionable and fertile materials, whose maximum power does not exceed 1 kilowatt continuous thermal load).		
3. (a) Installations for the reprocessing of irradiated nuclear fuel;		
3. (b) Installations designed:		
- For the production or enrichment of nuclear fuel;		
- For the processing of irradiated nuclear fuel or high-level radioactive waste;		
- For the final disposal of irradiated nuclear fuel;		
- Solely for the final disposal of radioactive waste; or		
- Solely for the storage (planned for more than 10 years) of irradiated nuclear fuels or radioactive waste in a different site than the production site.		
4. Major installations for the initial smelting of cast iron and steel and for the production of non-ferrous metals.		
5. Installations for the extraction of asbestos and for the processing and transformation of asbestos and products containing asbestos: for asbestos-cement products, with an annual production of more than 20,000 metric tons finished product; for friction material, with an annual production of more than 50 metric tons finished product; and for other asbestos utilization of more than 200 metric tons per year.		
6. Integrated chemical installations.		

Activities listed in appendix I to the Convention

7. (a) Construction of motorways, express roads 2/ and lines for long-distance railway traffic and of airports 3/ with a basic runway length of 2,100 metres or more;
7. (b) Construction of a new road of four or more lanes, or realignment and/or widening of an existing road of two lanes or less so as to provide four or more lanes, where such new road, or realigned and/or widened section of road, would be 10 km or more in a continuous length.
8. Large-diameter pipelines for the transport of oil, gas or chemicals.
9. Trading ports and also inland waterways and ports for inland-waterway traffic which permit the passage of vessels of over 1,350 metric tons.
- 10.(a) Waste-disposal installations for the incineration, chemical treatment or landfill of toxic and dangerous wastes;
- 10.(b) Waste-disposal installations for the incineration or chemical treatment of non-hazardous waste with a capacity exceeding 100 metric tons per day.
11. Large dams and reservoirs.
12. Groundwater abstraction activities or artificial groundwater recharge schemes where the annual volume of water to be abstracted or recharged amounts to 10 million cubic metres or more.
13. Pulp, paper and board manufacturing of 200 air-dried metric tons or more per day.
14. Major quarries, mining, on-site extraction and processing of metal ores or coal.
15. Offshore hydrocarbon production. Extraction of petroleum and natural gas for commercial purposes where the amount extracted exceeds 500 metric tons/day in the case of petroleum and 500 000 cubic metres/day in the case of gas.
16. Major storage facilities for petroleum, petrochemical and chemical products.
17. Deforestation of large areas.
- 18.(a) Works for the transfer of water resources between river basins where this transfer aims at preventing possible shortages of water and where the amount of water transferred exceeds 100 million cubic metres/year (transfers of piped drinking water are excluded);
- 18.(b) In all other cases, works for the transfer of water resources between river basins where the multi-annual average flow of the basin of abstraction exceeds 2 000 million cubic metres/year and where the amount of water transferred exceeds 5 per cent of this flow (transfers of piped drinking water are excluded).
19. Wastewater treatment plants with a capacity exceeding 150 000 population equivalent.

<i>Activities listed in appendix I to the Convention</i>		<i>No. of procedures as a PoO^a</i>	<i>No. of procedures as an AP^b</i>
20.	Installations for the intensive rearing of poultry or pigs with more than: - 85 000 places for broilers; - 60 000 places for hens; - 3 000 places for production pigs (over 30 kg); - 900 places for sows.		
21.	Construction of overhead electrical power lines with a voltage of 220 kV or more and a length of more than 15 km.		
22.	Major installations for the harnessing of wind power for energy production (wind farms).		
<i>Activities not listed in appendix I for which your country implemented a transboundary environmental impact assessment procedure in the reporting period</i>			
1.	[add the activity]		
2.	...		

^a Party of origin.

^b Affected Party.

Annex II

A detailed list of the transboundary procedures in which your party participated as a Party of origin (table 1) and as an affected Party (table 2) in the reporting period

Table 1

Transboundary environmental impact assessment procedures as a Party of origin

Please find below an example of expected types of answers in each column and feel free to add additional rows as needed

<i>Please use as checkbox for referring to the progress and indicate the date, if available</i>							
<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
1. For example, Project "A"	Date	Party A Party B	State of the procedure (select as appropriate) screening/scoping/reviewing the environmental impact assessment documentation: Date	Date	Date from: to:	Date from: to:	Date
2. AQUIND Interconnector	April 2019 and January 2020	France, Belgium, Denmark, Germany,	April 2019 notifications / consultations were post EIA scoping, Jan 2020 were post submission and	April 2019 (EIA Scoping) Jan 2020	Parties given 6 weeks to respond to consultations (with reasonable	DCO examination September 2020 – March 2021	Consent refused in Jan 2022

Please use as checkbox for referring to the progress and indicate the date, if available

<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
		Netherlands, Spain. Netherlands, Spain.	acceptance of the DCO Application	(Environmental Statement)	requests for extension considered) and information on registering as an interested party to the examination		
3. Sizewell C	October 2019, June 2020 and October 2021	Netherlands	The Netherlands were formally notified and consulted post EIA scoping. Special procedure for nuclear projects followed (all EEA, Espoo and Aarhus signatories notified as if there was significant effects although none were identified) Rescreened in June 2020 (after acceptance of application) and in October 2021 as a result of material and non-material changes to the application during examination. No	October 2019 (EIA Scoping), Jun 2020 (Environmental Statement), October 2021 (supplementary environmental information during examination)	Parties given 6 weeks to respond to consultations (with reasonable requests for extension considered) and information on registering as an interested party to the examination	DCO examination September 2020 – March 2021. Press notices placed on UK Government website and linked to UK embassies in EEA states. Applicant placed adverts in national newspapers in certain EEA states linking to	Pending

Please use as checkbox for referring to the progress and indicate the date, if available

<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
			parties formally notified or consulted although special procedure (as above) was again followed at acceptance screening stage. October 2021 screening conclusions remained consistent with those in June 2020 so no further action was taken			press notices and ability for public to participate	
4. Norfolk Boreas	August 2019	Belgium Denmark France Germany Netherlands	Screened in August 2019 after acceptance of the DCO application	August 2019 (Environmental Statement)	Parties given 6 weeks to respond to consultations (with reasonable requests for extension considered) and information on registering as an interested party to the examination	DCO examination November 2019 – October 2020	DCO Granted December 2021
5. Sheringham & Dudgeon Offshore Wind Farm Extensions (Equinor)	January 2020	Netherlands Belgium	Screened in Jan 2020 after EIA Scoping	Jan 2020 (EIA Scoping)	Only notifications so far. No consultation has	N/A	N/A

Please use as checkbox for referring to the progress and indicate the date, if available

<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
6. East Anglia One North AND East Anglia Two	December 2019	Germany Belgium Sweden, France, Netherlands, Denmark	Screened in December 2019 following submission of DCO application Re-Screened in March 2021 during Examination	December 2021 (Environmental Statement) and March 2021 (supplementary environmental information)	yet been undertaken (until submission of Application) Parties given 6 weeks to respond to consultations (with reasonable requests for extension considered) and information on registering as an interested party to the examination	DCO examination(s) October 2020– July 2021	DCO(s) Granted April 2022
7. North Falls Offshore Wind Farm	February 2022	Netherlands	Screened in Feb 2022 after EIA Scoping	Feb 2022 (EIA Scoping)	Only notifications so far. No consultation has yet been undertaken (until submission of Application)	N/A	N/A

Please use as checkbox for referring to the progress and indicate the date, if available

<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
8. Awel-Y-Mor Offshore Wind Farm	September 2021	Republic of Ireland, France	Screened in September 2021 after EIA Scoping	September 2021 (EIA Scoping)	Only notifications so far. No consultation has yet been undertaken (until submission of Application)	N/A	N/A
9. Rampion 2 Offshore Wind Farm	April 2021	Netherlands, Belgium, France, Spain	Screened in April 2021 after EIA Scoping	April 2021 (EIA Scoping)	Only notifications so far. No consultation has yet been undertaken (until submission of Application)	N/A	N/A
10. Hornsea Project Four Offshore Wind Farm	October 2019 November 2021	Netherlands, Germany, Belgium, Denmark, Norway, France, Iceland, Ireland, Sweden	Screened in October 2019 after EIA Scoping Screened in November 2021 after acceptance of the DCO application	October 2019 (EIA Scoping), November 2021 (Environmental Statement)	Parties given 6 weeks to respond to consultations (with reasonable requests for extension considered) and information on registering as an	DCO examination commenced February 2022 and is ongoing	N/A

Please use as checkbox for referring to the progress and indicate the date, if available

<i>Project name</i>	<i>Starting date (date of the notification sent)</i>	<i>Affected Party/ Parties</i>	<i>Timing of the notification</i>	<i>Submission of the environmental report</i>	<i>Transboundary consultations between authorities concerned, if any</i>	<i>Public participation, (please also indicate the means, for example, written comments, events organized, etc.) if any</i>	<i>Final decision (date of issue, if information is available)</i>
11 Immingham Eastern Ro-Ro Terminal	January 2022	Iceland, Denmark	Screened in Jan 2022 after EIA Scoping	January 2022 (EIA Scoping)	interested party to the examination	Only notifications so far. No consultation has yet been undertaken (until submission of Application)	N/A

