

Environment: assessment of effects of certain plans and programmes

1996/0304(COD) - 30/03/2000 - Council position

The Council adopted its common position with regard to a proposal for a Council Directive on the assessment of the effects of certain plans and programmes on the environment based on Article 130s(1) (presently Article 175(1) of the Treaty. The objective of the Directive is to provide for an environmental assessment to be carried out and the results to be taken into account during the preparation and prior to the adoption of certain plans and programmes likely to have significant effects on the environment. It is meant as a complement to the environmental assessment of projects under the "EIA" Directive (85/337/EEC), which takes place at a later stage of the decision-making process. The Council followed, partly or in spirit, the EP's amendments accepted by the Commission in its amended proposal, as well as elements of amendments proposed by the EP but not retained by the Commission. The rewriting and restructuring of the text means that the amendments could not be reproduced literally, and may be found in different locations in the text than in the original proposals. The main proposals introduced by the Council to the Commission's proposal include the following: -the Council introduced the idea of integration of environmental considerations into the preparation and adoption of plans and programmes as an important objective, alongside the reference to sustainable development as requested by the EP; -The Commission proposal amended following the EP's opinion already referred to plans and programmes setting the framework or future development consent, and the Council agrees to build on this approach; -A provision has been added to allow avoiding duplication of work where plans and programmes form part of a hierarchy and the assessment is carried out at different levels of the hierarchy; -The Council sought to specify, in line with the Aarhus Convention, that the public to be consulted includes relevant NGOs, such as those promoting environmental protection and others; -The Council agreed that co-ordinated or joint procedures could be provided for when obligations regarding an assessment arose from different pieces of legislation; -The review clause was made more explicit, in particular, regarding the possibility to extend the scope of the Directive to other sectors and types of plans and programmes; -The Commission was invited to report on the relationship between this Directive and Structural Funds Regulations in good time before the next programming period. -Finally, the Council agreed on a 3-year period for the implementation of the Directive, given its procedurally complex nature.