

COMMISSION OF THE EUROPEAN COMMUNITIES

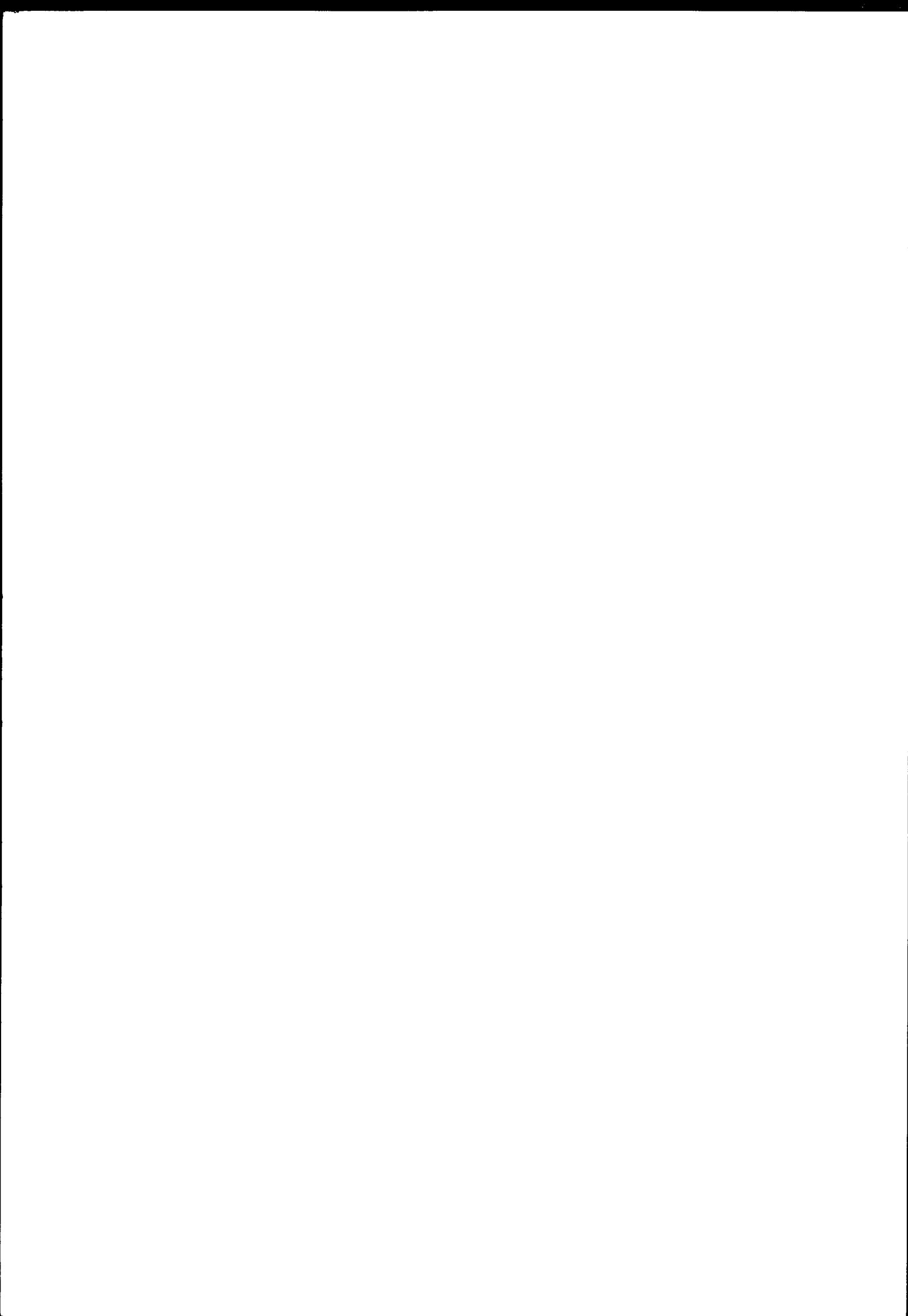
COM(80) 333 final

Brussels, 11 june 1980

Proposal for a
COUNCIL REGULATION

establishing supplementary measures in favour
of the UNITED KINGDOM

(submitted to the Council by the Commission)



Explanatory memorandum

1. After the Council meeting of the 29/30 May 1980 dedicated to "convergence and budgetary questions" it was agreed upon that payments would be made to the United Kingdom ,on the one hand, through the adapted financial mechanism and, on the other hand, through the supplementary measures proposed by the Commission. The present regulation proposal concerns these supplementary measures.
2. In order to promote the convergence of the economies of the Member States, it is necessary to contribute to the solution of the principal structural problems affecting the United Kingdom. Improving its economic performance may be done by developing the economic and social infrastructure, especially in the assisted areas, as well as by investments for the exploitation of coal resources.
3. In consequence, it has been proposed that the supplementary measures shall be confined to investment expenditure as indicated above and that they shall be carried out in the form of special pluriannual programmes to be approved by the Commission after consultation with the Regional Policy Committee or the Energy Committee. Once the programmes have been approved by the Commission, advances may be accorded, of up to 90 % of the appropriations committed,

Proposal for a Council Regulation instituting supplementary Community measures to contribute to the solution of the principal structure problems affecting the United Kingdom and hence to the convergence of the economies of the Member States of the Community

THE COUNCIL OF THE EUROPEAN COMMUNITIES

Having regard to the Treaty establishing the European Economic Community, in particular Article 235,

Having regard to the proposal of the Commission,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Court of Auditors (2),

Whereas the Council Conclusions of 30 May 1980(2) indicates that over the period 1980-82 payments should be made to the United Kingdom by means of the adapted Financial Mechanism and supplementary measures proposed by the Commission,

Whereas the need for these payments arises from the lack of convergence between the economies of the Member States of the Community, and whereas the supplementary measures should aim to realise special programmes of investments which contribute to greater convergence and integration of the economic policies of the Member States and are in line with priority Community objectives,

Whereas through these supplementary measures convergence can be promoted by improving the structures of the United Kingdom economy,

Whereas if they are to be fully effective the supplementary measures must be consistent with existing Community policies, especially the Regional Policy, and must respond to the need for improved economic and social infrastructure, especially in the regions with greatest structural problems,

(1) O J No ...

(2) O J No ...

Proposal for a Council Regulation establishing supplementary measures in favour of the
United Kingdom

(Submitted by the Commission to the Council on 12 June 1980)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the
European Economic Community, in particular Article
235,

Having regard to the proposal of the Commission,

Having regard to the opinion of the European Par-
liament,

Having regard to the opinion of the Court of
Auditors,

Whereas the Council Conclusions of 30 May 1980
indicates that over the period 1980 to 1982 payments
should be made to the United Kingdom by means of
the adapted Financial Mechanism and supplementary
measures proposed by the Commission,

Whereas the need for these payments arises from the
lack of convergence between the economies of the
Member States of the Community, and whereas the
supplementary measures should aim to realize special
programmes of investments which contribute to
greater convergence and integration of the economic
policies of the Member States and are in line with
priority Community objectives,

Whereas through these supplementary measures
convergence can be promoted by improving the
structures of the United Kingdom economy;

Whereas if they are to be fully effective the sup-
plementary measures must be consistent with existing
Community policies, especially the Regional Policy,
and must respond to the need for improved economic
and social infrastructure, especially in the regions
with greatest structural problems,

Whereas the exploitation of coal resources in the
United Kingdom is in the interests of the
Community's energy policy,

Whereas the supplementary measures should take the
form of pluriannual programmes to be approved by

the Commission to ensure an effective use of
Community resources,

HAS ADOPTED THIS REGULATION:

Article 1

(1) In addition to the amounts which will be
transferred to the United Kingdom in the application
of the Council Regulation (EEC) No 1172/76 of 17
May 1976 establishing a financial mechanism ⁽¹⁾, as
amended by Council Regulation (EEC) No 1/80,
the present regulation provides for supplementary
Community measures in respect of 1980 and 1981 the
aims of which shall be:

- the reduction of regional disparities and the
renewal of urban areas through the improvement
of economic and social infrastructure,
- the exploitation of coal resources.

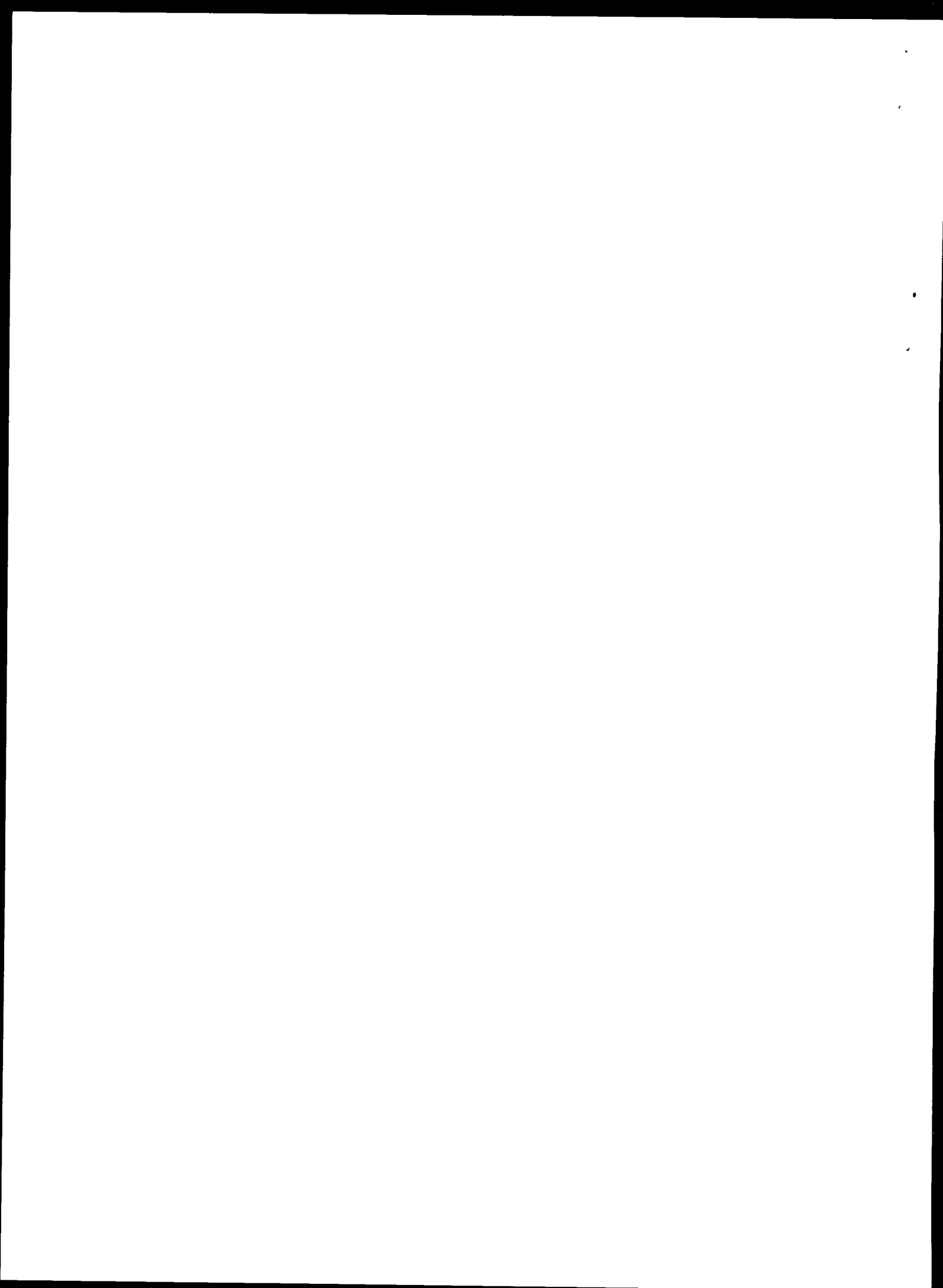
(2) The measures shall be implemented by means
of special financial assistance to the realization of
pluriannual programmes submitted for approval by
the United Kingdom to the Commission.

Article 2

Provided these are undertaken by public authorities in
the form of capital expenditure, the following cat-
egories of investments shall be eligible for financial
participation by the Community within the
framework of the special programmes to be
submitted:

- (a) economic and social infrastructure especially
transport and communications, telecommuni-
cations, transmission of energy, water and
sewerage, industrial sites, advance factories,
public housing,
- (b) infrastructure necessary to urban renewal
programmes,
- (c) investments related to the exploitation of coal
resources.

⁽¹⁾ OJ No L 131, 20 5 1976, p 7



Article 3

(1) In the case of infrastructures, special programmes will be located within the areas covered on 1 January 1980 by the Regional Development Programmes provided for in Article 6, paragraphs 3 and 4 of Council Regulation (EEC) No 724/75 of 18 March 1975 establishing a European Regional Development Fund⁽¹⁾ as amended by Council Regulation (EEC) No 214/79 of 6 February 1979⁽²⁾, hereinafter referred to as 'the Fund Regulation'.

Each of these programmes:

- (a) will cover a whole region or that part or parts of such a region eligible for assistance from the European Regional Development Fund,
- (b) will be consistent with the regional development programmes provided for in Article 6 of the Fund Regulation,
- (c) will contain, for the region or part of region covered, the information specified in the annex of the present regulation.

(2) However in exceptional cases or where there is a special Community interest special infrastructure programmes may be submitted for areas outside regions referred to in paragraph 1.

For each of these programmes the United Kingdom will submit to the Commission all information specified in the annex of this regulation, with the exception of that indicated in point 3. Moreover it will submit all other information useful for the examination of the special programme, including its impact on the regions referred to in paragraph 1.

(3) Before approving the special programmes referred to in paragraphs 1 and 2 above, the Commission shall consult the Regional Policy Committee provided for in Council Decision 75/185/EEC of 18 March 1975 as amended by Council Decision 79/137/EEC of 6 February 1979.

Article 4

(1) In the case of programmes covering the exploitation of coal resources, the United Kingdom will submit to the Commission a statement of needs, objectives, general physical characteristics of

investments, their costs, details of their financing and a time-table of their realization.

(2) Before approving special programmes covering the exploitation of coal resources, the Commission shall consult the Energy Committee provided for in Council Decision of 30 January 1974.

Article 5

The following provisions will apply to all special programmes:

1. The Commission can request all additional information required for the examination and assessment of a special programme.
2. When the success of a special programme requires that the public authorities take complementary measures not financed by the Community, these measures will be contained in the programme.
3. A summary of each special programme will be published in the *Official Journal of the European Communities*. The United Kingdom, by agreement with the Commission, shall take all necessary steps to ensure that assistance granted in accordance with the present regulation is given suitable publicity.

Article 6

(1) The amount of financial assistance as referred to in Article 1 of this Regulation, is calculated in accordance with points 1 to 4 of the Council Conclusions of the 30 May 1980.

The credits will be entered in the budget of the year following the year to which they apply. However in the light of a request from the United Kingdom, the Council acting by qualified majority may decide on a proposal of the Commission that the implementation of the supplementary measures may be brought forward.

In this case the Commission will engage the necessary procedures and in particular those which permit the appropriations which will have been entered for this purpose in Chapter 100 of the budget to be used.

(2) In approving the special programmes the Commission shall decide on the parts of programmes in the financing of which the Community participates, as well as on the amounts of the participation, in the light of the needs of the area concerned and the appropriations available.

The maximum rate of the financial contribution of the Community to a special programme, or part thereof, will be 70 %.

⁽¹⁾ OJ No L 73, 21 3 1975

⁽²⁾ OJ No L 35, 9 2 1979

In deciding on the level of the Community's contribution, account will be taken of investments in receipt of grants from the European Regional Development Fund or from other Community financial instruments.

(3) The decision of the Commission shall be considered as commitment in accordance with the provisions of Article 32, paragraph 2 of the Financial Regulation of 21 December 1977 applicable to the general budget of the European Communities ⁽¹⁾.

(4) The Commission as soon as it has taken the grant decision in accordance with paragraph 3 above will make an advance payment of 90 % of the amount of the Community's participation decided for each special programme in the light of the appropriations available. The transfer of the 10 % balance will be effected immediately after the exhaustion of the above payment, as certified by the Government of the United Kingdom, and at the latest before the end of the financial year following that of the commitment, provided the realization of the special programme proceeds as planned.

(5) The Commission shall take into consideration for financial participation payments made by the Member State as from 1 January 1980.

Article 7

(1) The Commission shall ensure the implementation of the special programmes in accordance with the requirements of this Regulation and the provision of the regulations made pursuant to Article 209 of the Treaty. To this end, the United

⁽¹⁾ OJ No L 356, 31. 12. 1977.

Kingdom shall make available to the Commission all information required and shall take all steps to facilitate such supervision as the Commission may consider useful, including on-the-spot checks by officials of the Commission.

(2) At the end of October of each year the United Kingdom shall present to the Commission a report on the progress made in carrying out each special programme. This report should enable the Commission to satisfy itself as to the execution of the programme.

(3) When, in the course of implementation, minor adjustments to the programme which do not modify the objectives appear necessary, the Commission may approve them.

If, in exceptional circumstances and for reasons that are fully justified, the United Kingdom intends to introduce major changes, a new special programme will be required.

(4) If a special programme is not implemented in conformity with the provisions of the decision of the Commission approving it, the Commission may suspend any payments still to be made. It may also require that sums which have been, or are still to be paid, be allocated to other parts of the same programme or to other special programmes approved by it.

Article 8

The present regulation enters into force the ... 1980. It is applicable from 1 January 1980.

This regulation shall be binding in its entirety and directly applicable in all Member States

ANNEX

INFORMATION TO BE INCLUDED IN A SPECIAL INFRASTRUCTURE PROGRAMME

1 General information

An infrastructure programme will contain this general information:

- (a) a definition of the region or zone covered;

- (b) a general description of the measures envisaged,
- (c) the period of time covered.

2. Objectives

An infrastructure programme will show firstly the obstacles to development resulting from inadequacies in the infrastructure it covers and then the general objectives and the main lines of policy for such infrastructure.

A programme will make clear the relationship of these objectives with Community aims and measures, which may be in the field of regional policy proper or in that of another Community policy, when this is not done in a regional development programme

A programme will also contain quantified targets for the infrastructure it covers which will reflect the general objectives and policies referred to in the two preceding paragraphs. These quantified targets will include the increase in capacity, the utilization of that capacity and the improvement in the quality of service expected from the programme.

A programme will state the benefits for other regions that result from the investments realised under it. It will also indicate investments required for the development of the region but located outside it.

3. Consistency with the regional development programmes

There will be a demonstration of the consistency of an infrastructure programme with the relevant regional development programme, in particular with the objectives and the priorities among development measures expressed in the latter. When a regional development programme does not constitute an adequate framework for the appreciation of an infrastructure programme, the additional information required will be given in the infrastructure programme.

4. Description of the investments

An infrastructure programme will contain this information.

- (a) the main physical characteristics and location of investments greater than 10 million European units of account;
- (b) a global description of the other elements of the programme;
- (c) a time-table of construction

5. Complementary measures

An infrastructure programme will state the measures required for its success which are outside its scope and not financed by the Community and which may involve current as opposed to capital expenditure.

6. Financing of the programme

An infrastructure programme will show the following information for each public authority involved:

- (a) the total cost it will incur; within this total, the cost of each main investment and the global cost of other elements of the programme;
 - (b) the degree of commitment of expenditure;
 - (c) a time-table of expenditure
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**Proposal for a Council Directive concerning the assessment of the environmental effects
of certain public and private projects**

(Submitted by the Commission to the Council on 16 June 1980)

THE COUNCIL OF THE EUROPEAN
COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community and in particular to Article 100 thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament,

Having regard to the opinion of the Economic and Social Committee,

Whereas the 1973 and 1977 Action Programmes of the European Communities on the Environment (1) provide that 'the best environmental policy is preventing the creation of pollution or nuisances at source rather than subsequently trying to counteract their effects'; whereas they affirm that 'effects on the environment should be taken into account at the earliest possible stage in all the technical planning and decision-making processes' and that 'it is therefore necessary to evaluate the effects on the quality of life and on the natural environment of any measure that is adopted or contemplated at national or Community level';

Whereas the 1977 Action Programme acknowledges (2) that 'the application at the appropriate administrative levels of procedures for assessing environmental impact meets the need to implement the objectives and principles laid down in the 1973 Action Programme'; and whereas it envisages the submission by the Commission to the Council of proposals on environmental impact assessment;

Whereas it is desirable that there should be a harmonious development of economic activities while ensuring that full account is taken of the effects on the environment,

Whereas to this end, and in accordance with the Action Programme, general principles for the

assessment of environmental effects should be introduced, with a view to improving good management of planning procedure governing private and public activities likely to have significant effects on the environment: in particular, planning and decision-making with respect to individual projects, land use plans, regional development programmes, economic programmes including those in particular sectors;

Whereas, however, it is appropriate to introduce principles of assessment step by step in order to avoid an excessive burden on administrations;

Whereas priority has to be given, as a first step, to the introduction of assessment principles in planning and decision-making procedures for allowing projects, in view of the urgency of preventing the most significant negative effects, and because the availability in all Member States of procedures for the control of projects permits the introduction of assessment principles without requiring the creation of new procedures;

Whereas to this effect planning permission for projects which are likely to have significant effects on the environment should be granted only after an appropriate prior assessment of the likely significant environmental effects of these projects has been carried out; and whereas, therefore, competent authorities and developers should cooperate in order to provide the appropriate information on the possible range of environmental effects of the envisaged project, as well as on the reasonable alternatives to it;

Whereas, moreover, over the last few years Member States have adopted a considerable body of laws and regulations in the general field of environmental protection and a number of them specifically in the field of the assessment of environmental effects;

Whereas a significant disparity between measures in force in the various Member States with regard to the assessment of environmental effects may create unfavourable competitive conditions and thereby directly affect the functioning of the common market and whereas, therefore, it is necessary to undertake the approximation of national laws in this field pursuant to Article 100 of the Treaty;

(1) OJ No C 122, 20. 12. 1973 and C 139, 13. 6. 1977

(2) OJ No C 139, 13. 6. 1977, Title IV, Chapter 1