
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 1

**The Environmental Impact Assessment
(Scotland) Regulations 1999**

PART II

TOWN AND COUNTRY PLANNING

CHAPTER 9

UNAUTHORISED DEVELOPMENT

Screening directions of the Scottish Ministers

31. Any person on whom a regulation 30 notice is served may apply to the Scottish Ministers for a screening direction and the following shall apply—

- (a) an application under this regulation shall be accompanied by—
 - (i) a copy of the regulation 30 notice;
 - (ii) a copy of the enforcement notice which accompanied it; and
 - (iii) such other information or representations as the applicant may wish to provide or make;
- (b) the applicant shall send to the authority by whom the regulation 30 notice was served, at such time as he applies to the Scottish Ministers, a copy of the application under this regulation and of any information or representations provided or made in accordance with paragraph (a)(iii);
- (c) if the Scottish Ministers consider that the information provided in accordance with paragraph (a) is insufficient to enable them to make a direction, they shall notify the applicant and the authority of the matters in respect of which they require additional information; and the information so requested shall be provided by the applicant within such reasonable period as may be specified in the notice;
- (d) the Scottish Ministers shall send a copy of their direction to the applicant and to the authority and, where they conclude that the matters which are alleged to constitute the breach of planning control comprise or include EIA development, they shall send with the copy of the direction a written statement giving clearly and precisely their full reasons for that conclusion;
- (e) without prejudice to paragraph (d), where the Scottish Ministers direct that the matters which are alleged to constitute the breach of planning control do not comprise or include EIA development, they shall send a copy of the direction to the consultation bodies.