
SCOTTISH STATUTORY INSTRUMENTS

2000 No. 320

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2000

PART 1

GENERAL

Interpretation

2.—(1) In these Regulations—

“the Act” means the Electricity Act 1989 and references to sections are references to sections of the Act;

“the consultative bodies” means—

- (a) the planning authority for the area where the land is situated;
- (b) Scottish Natural Heritage⁽¹⁾; and
- (c) where the application or proposed application relates to a section 36 consent, the Scottish Environment Protection Agency⁽²⁾;

“development” means the carrying out of building, engineering or other operations in, on, over or under land or sea in pursuance of any application to which these Regulations apply;

“EEA State” means a State which is a contracting party to the Agreement on the European Economic Area signed at Oporto on 2nd May 1992⁽³⁾ as adjusted by the Protocol signed at Brussels on 17th March 1993;⁽⁴⁾

“EIA development” means development which is—

- (a) Schedule 1 development;
- (b) Schedule 2 development which falls within regulation 3(2); or
- (c) any other development which the Scottish Ministers determine is EIA development in accordance with regulation 3(4) or 6;

“electric line” has the same meaning as in section 64;

“environmental information” means the environmental statement prepared by the applicant, any representations duly made by any consultative body or any other person consulted pursuant to regulation 11(2)(a)(ii) and any representations duly made by any other person about the likely environmental effects of the proposed development;

“environmental statement” means a statement prepared in respect of development in accordance with regulation 4(1) (including any further information submitted by the applicant pursuant to a requirement under regulation 13(1));

(1) See section 1(1) of the Natural Heritage (Scotland) Act 1991 (c. 28).

(2) See section 20(1) of the Environmental Act 1995 (c. 25).

(3) Cm 2073.

(4) Cm 2183.

“generating station” has the same meaning as in section 64;

“planning authority” has the same meaning as is assigned to “relevant planning authority” by paragraph (b) of paragraph 2(6) of Schedule 8 to the Act⁽⁵⁾;

“register” means the register kept pursuant to section 36 of the Town and Country Planning (Scotland) Act 1997⁽⁶⁾;

“Schedule 1 development” means development of a description set out in Schedule 1;

“Schedule 2 development” means development of a description set out in Schedule 2;

“scoping opinion” means a written statement of opinion of the Scottish Ministers given in accordance with regulation 7;

“screening opinion” means a written statement of opinion of the Scottish Ministers as to whether the development in question is EIA development;

“section 36 consent” means a consent under section 36 to construct, extend or operate a generating station; and

“section 37 consent” means a consent under section 37 to install or keep installed an electric line above ground.

(2) In these Regulations any reference to a numbered regulation or Schedule is a reference to the regulation in or the Schedule to these Regulations bearing that number and any reference in a regulation to a paragraph is a reference to a paragraph of that regulation.

⁽⁵⁾ Paragraph 2(6) of Schedule 8 to the Act was amended by the Planning (Consequential Provisions) (Scotland) Act 1997 (c. 11), Schedule 2.

⁽⁶⁾ 1997 c. 8.