

SCOTTISH STATUTORY INSTRUMENTS

2017 No. 101

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

PART 6

ADDITIONAL INFORMATION

Additional information and evidence relating to EIA reports

19.—(1) This regulation applies where the Scottish Ministers are dealing with—

- (a) an EIA application; or
- (b) an application for multi-stage consent in respect of EIA development.

(2) In order to ensure the completeness and quality of the EIA report, the Scottish Ministers must (having regard in particular to current knowledge and methods of assessment) seek from the developer supplementary information about any matter mentioned in schedule 4 which in the opinion of the Scottish Ministers is directly relevant to reaching a reasoned conclusion on the significant effects of the development on the environment.

(3) The developer must provide that supplementary information and such information is referred to in these Regulations as “supplementary information”.

(4) The Scottish Ministers may in writing require to be produced to them such evidence, in respect of any EIA report or additional information as they may reasonably call for to verify any information^{F1} ... contained in the EIA report or such additional information, as the case may be.

Textual Amendments

- F1** Word in reg. 19(4) omitted (30.6.2017) by virtue of [The Environmental Impact Assessment \(Miscellaneous Amendments\) \(Scotland\) Regulations 2017 \(S.S.I. 2017/168\)](#), regs. 1, **2(8)**

Publication of additional information

20.—(1) [^{F2}Subject to regulation 20A,] where additional information is provided to the Scottish Ministers, the developer must publish a notice in accordance with paragraph (2) containing the information specified in paragraph (3).

(2) A notice under paragraph (1) must be published—

- (a) on the application website;
- (b) in The Edinburgh Gazette; and
- (c) in a newspaper circulating in the locality in which the land to which the application relates is situated (or, in relation to a proposed development in, on, over or under the sea, in such newspaper as is likely to come to the attention of those likely to be affected by the proposed development).

- (3) Notice under paragraph (1) must—
- (a) describe the application and the proposed development;
 - (b) state that the proposed development is subject to environmental impact assessment;
 - (c) state that the additional information is available for inspection [^{F3}free of charge] and the times and places at which, and the means by which, the additional information is available for inspection;
 - (d) state how copies of the additional information may be obtained;
 - (e) state the cost of a copy of the additional information;
 - (f) state how and by what date representations may be made (being a date not earlier than 30 days after last date on which the notice is published);
 - (g) provide details of the arrangements for public participation in the decision making procedure including a description of how notice is to be given of any subsequent submission by the developer of additional information and how representations in relation to that additional information may be made;
 - (h) state the nature of possible decisions to be taken in relation to the application and provide details of the authority by which such decisions are to be taken.

(4) The developer must serve a copy of the additional information on the planning authority and on any other person to whom a copy of the EIA report was sent under regulation 16(1) or (4) together with a copy of the notice mentioned in paragraph (1).

(5) A reasonable charge reflecting printing and distribution costs may be made in relation to the supply of a copy of the additional information to any person except that the copies served pursuant to paragraph (4) are to be supplied free of charge.

- (6) Paragraph (1) does not apply in relation to additional information to the extent that—
- (a) the information is provided for the purposes of an inquiry held under the Electricity Act 1989;
 - (b) the written requirement for the information states that it is to be provided for such purposes; and
 - (c) the information is required to be publicised as part of that inquiry.

[^{F4}(7) Where additional information is provided to the Scottish Ministers the developer must ensure that a reasonable number of copies of the additional information are available for inspection at any place named in the notice under paragraph (1) as a place at which copies of the additional information may be inspected.

(8) The developer must provide copies of the additional information in accordance with the terms of the notice under paragraph (1) and where that notice includes an address at which copies of the additional information may be obtained the developer must ensure that a reasonable number of copies of the additional information are available at that address.]

Textual Amendments

- F2** Words in [reg. 20\(1\)](#) inserted (24.4.2020) by [The Electricity Works \(Miscellaneous Temporary Modifications\) \(Coronavirus\) \(Scotland\) Regulations 2020 \(S.S.I. 2020/123\)](#), regs. 1(1), **4(10)**
- F3** Words in [reg. 20\(3\)\(c\)](#) inserted (30.6.2017) by [The Environmental Impact Assessment \(Miscellaneous Amendments\) \(Scotland\) Regulations 2017 \(S.S.I. 2017/168\)](#), regs. 1, **2(9)(a)**
- F4** [Reg. 20\(7\)\(8\)](#) inserted (30.6.2017) by [The Environmental Impact Assessment \(Miscellaneous Amendments\) \(Scotland\) Regulations 2017 \(S.S.I. 2017/168\)](#), regs. 1, **2(9)(b)**

[^{F5}**Temporary relaxation of requirement for publication of additional information**

20A. Regulation 20(3)(c) applies during the emergency period as if “and the times and places at which” were omitted.]

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Textual Amendments

F5 Reg. 20A inserted (24.4.2020) by The Electricity Works (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 (S.S.I. 2020/123), regs. 1(1), **4(11)**

Changes to legislation:

There are currently no known outstanding effects for the The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017, PART 6.