
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 102

**The Town and Country Planning (Environmental
Impact Assessment) (Scotland) Regulations 2017**

PART 5

**PUBLICITY AND PROCEDURES ON SUBMISSION OF
ENVIRONMENTAL IMPACT ASSESSMENT REPORTS**

Consultation where EIA report received by the Scottish Ministers

24.—(1) Where the Scottish Ministers receive in connection with an EIA application which is being determined by them by virtue of section 46 or 47 an EIA report and the EIA report has not previously been submitted to the planning authority, the Scottish Ministers must—

- (a) send two copies of the EIA report to the planning authority;
- (b) send a copy of the EIA report to the bodies mentioned in paragraph (2); and
- (c) consult the planning authority and the bodies mentioned in paragraph (2) about the EIA report and inform them how and by what date representations may be made (being a date not earlier than 30 days after the date on which the copy of the EIA report was sent).

(2) The bodies are—

- (a) the consultation bodies;
- (b) the Health and Safety Executive where it would be required to be consulted under paragraph 3 or 4 of Schedule 5 to the Development Management Procedure Regulations in relation to the application for planning permission for the proposed development;
- (c) the Office for Nuclear Regulation where it would be required to be consulted under paragraph 3A of Schedule 5 to the Development Management Procedure Regulations in relation to the application for planning permission for the proposed development; and
- (d) any other public body which the Scottish Ministers consider are likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

(3) Where an EIA report is submitted to the Scottish Ministers in relation to an application for planning permission, the developer must let the Scottish Ministers have enough copies of the EIA report to enable them to comply with paragraph (1)(a) and (b) and one additional copy.

(4) Where a body which the Scottish Ministers are required to consult under this regulation considers that consultation with that body is not required in respect of any report relating to any case or class of case or relating to any specified area and so inform the Scottish Ministers in writing then the Scottish Ministers are not required to consult that body under this regulation.