



Environmental Assessment (Scotland) Act 2005 2005 asp 15

PART 3

POST-ADOPTION PROCEDURES

18 Information as to adoption of a qualifying plan or programme

- (1) As soon as reasonably practicable after the adoption of a qualifying plan or programme, the responsible authority shall—
- (a) make available a copy of—
 - (i) the plan or programme;
 - (ii) the environmental report relating to it; and
 - (iii) a statement containing the particulars specified in subsection (3), at the authority's principal office for inspection by the public at all reasonable times and free of charge;
 - (b) secure the taking of such steps as it considers appropriate (including publication in at least one newspaper circulating in the area to which the plan or programme relates) to bring to the attention of the public—
 - (i) the title of the plan or programme;
 - (ii) the date on which it was adopted;
 - (iii) the address (which may include a website) at which a copy of the plan or programme and its accompanying environmental report, and of the statement containing the particulars specified in subsection (3), may be inspected or from which a copy may be obtained;
 - (iv) the times at which inspection may be made; and
 - (v) that inspection may be made free of charge; and
 - (c) display a copy of—
 - (i) the documents referred to in paragraph (a); and
 - (ii) the information referred to in paragraph (b), on the authority's website.

Status: This is the original version (as it was originally enacted).

- (2) As soon as reasonably practicable after the adoption of a qualifying plan or programme, the responsible authority shall inform the consultation authorities of the adoption of the plan or programme and shall send them a copy of—
- (a) the plan or programme as adopted; and
 - (b) the statement containing the particulars specified in subsection (3).
- (3) The particulars referred to in subsections (1)(a)(iii) and (b)(iii) and (2)(b) are—
- (a) how environmental considerations have been integrated into the plan or programme;
 - (b) how the environmental report has been taken into account;
 - (c) how the opinions expressed in response to the invitations mentioned in section 16 have been taken into account;
 - (d) how the results of any relevant consultation under regulation 14 of the Environmental Assessment of Plans and Programmes Regulations 2004 (S.I.2004/1633) have been taken into account;
 - (e) the reasons for choosing the plan or programme as adopted, in the light of the other reasonable alternatives considered; and
 - (f) the measures that are to be taken to monitor the significant environmental effects of the implementation of the plan or programme.
- (4) Nothing in subsection (1)(b)(iii) shall require the responsible authority to provide a copy of any document free of charge; but where a charge is made, it shall be of a reasonable amount.

19 Monitoring of implementation of qualifying plans and programmes

- (1) The responsible authority shall monitor the significant environmental effects of the implementation of every qualifying plan or programme for which it has carried out an environmental assessment.
- (2) The responsible authority shall do so in a manner (which may comprise or include arrangements established otherwise than for the express purpose of compliance with subsection (1)) which enables the authority to—
- (a) identify any unforeseen adverse effects at an early stage; and
 - (b) undertake appropriate remedial action.