



Environmental Assessment (Scotland) Act 2005

2005 asp 15

PART 2

ENVIRONMENTAL REPORTS AND CONSULTATION

15 Scoping

- (1) Before deciding on—
- (a) the scope and level of detail of the information to be included in the environmental report to be prepared in accordance with section 14; and
 - (b) the consultation period it intends to—
 - (i) specify under section 16(1)(b); and
 - (ii) notify under section 16(2)(a)(iv),
- the responsible authority shall send to each consultation authority such sufficient details of the qualifying plan or programme as will enable the consultation authority to form a view on those matters.
- (2) Each consultation authority shall—
- (a) send to the responsible authority its views on the matters referred to in subsection (1) within the period of 5 weeks beginning with the date on which the details referred to in that subsection are received by the consultation authority; and
 - (b) send a copy of those views to the other consultation authorities.
- (3) The responsible authority shall—
- (a) take account of the views expressed by the consultation authorities under subsection (2)(a); and
 - (b) advise the Scottish Ministers of the period it intends to specify under section 16(1)(b) and notify under section 16(2)(a)(iv).
- (4) If the Scottish Ministers consider that a period referred to in subsection (3)(b) is not likely to give (as the case may be)—
- (a) the consultation authorities; or

Changes to legislation: There are currently no known outstanding effects for the
Environmental Assessment (Scotland) Act 2005, Section 15. (See end of Document for details)

(b) the public—

(i) affected or likely to be affected by; or

(ii) having an interest in,

the plan or programme,

an early and effective opportunity to express their opinion on the plan or programme and the accompanying environmental report, the Scottish Ministers shall, within 7 days of receipt of the advice under subsection (3)(b), specify such other period as the Scottish Ministers consider will give the consultation authorities, or (as the case may be) the public, such an early and effective opportunity.

(5) Where the Scottish Ministers have specified a period under subsection (4), the responsible authority shall specify under section 16(1)(b), or (as the case may be) notify under section 16(2)(a)(iv), that period.

(6) Where the Scottish Ministers are the responsible authority in relation to a qualifying plan or programme, subsections (3)(b), (4) and (5) do not apply.

Commencement Information

II S. 15 in force at 20.2.2006 by [S.S.I. 2006/19](#), **art. 2**

Changes to legislation:

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