



UK Withdrawal from the European Union (Continuity) (Scotland) Act 2021

2021 asp 4

PART 2

ENVIRONMENT

CHAPTER 2

ENVIRONMENTAL GOVERNANCE

Improvement reports and improvement plans

27 Restrictions on preparing an improvement report

Environmental Standards Scotland may not prepare an improvement report in respect of—

- (a) a failure to comply with environmental law arising out of any decision taken by a public authority in the exercise of its regulatory functions in relation to a particular person or case (for example, a decision on an application for a licence or a decision on regulatory enforcement in a specific case), or
- (b) a failure to comply with environmental law arising out of particular conduct if—
 - (i) it has issued a compliance notice under section 31(1) in respect of the same failure arising out of the same conduct, and
 - (ii) it has not subsequently withdrawn the compliance notice under section 35(1).