
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 1

**The Environmental Impact Assessment
(Scotland) Regulations 1999**

PART II

TOWN AND COUNTRY PLANNING

CHAPTER 4

PREPARATION OF ENVIRONMENTAL STATEMENTS

Scoping directions of the Scottish Ministers

11.—(1) A request made under this paragraph pursuant to regulation 10(7) shall include—

- (a) a copy of the relevant request to the relevant planning authority under regulation 10(1);
- (b) a copy of any relevant notification under regulation 10(3) and of any response;
- (c) a copy of any relevant screening opinion received by the person making the request and of any accompanying statement of reasons; and
- (d) any representations that the person making the request wishes to make.

(2) When a person makes a request under paragraph (1) he shall send to the relevant planning authority a copy of that request, but that copy need not include the matters mentioned in subparagraphs (a) to (c) of that paragraph.

(3) The Scottish Ministers shall notify in writing the person making the request of any points on which they consider the information provided pursuant to paragraph (1) is insufficient to enable them to make a scoping direction; and may request the relevant planning authority to provide such information as they can on any of those points.

(4) The Scottish Ministers shall not make a scoping direction in response to a request under paragraph (1) until they have consulted the person making the request and the consultation bodies, but shall, within five weeks beginning with the date of receipt of that request or such longer period as they may reasonably require, make a direction and send a copy to the person who made the request and to the relevant planning authority.

(5) Before making a scoping direction, the Scottish Ministers shall take into account the matters specified in regulation 10(6).

(6) Where the Scottish Ministers have made a scoping direction in response to a request under paragraph (1), neither they nor the relevant planning authority shall be precluded from requiring of the person who made the request additional information in connection with any statement that may be submitted by that person as an environmental statement in connection with an application for planning permission for the same development as was referred to in the request.