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SCOTTISH STATUTORY INSTRUMENTS

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**2011 No. 139**

**The Town and Country Planning (Environmental  
Impact Assessment) (Scotland) Regulations 2011**

**PART 5**

**PUBLICITY AND PROCEDURES ON SUBMISSION  
OF ENVIRONMENTAL STATEMENTS**

**Consultation where environmental statement received by planning authority**

**19.**—(1) Where a planning authority receive in connection with an EIA application (including an EIA application under consideration on review under section 43A(8) (right to require review of planning decisions and failure to take such decisions)) a statement which the applicant refers to as an environmental statement for the purposes of these Regulations, they must—

- (a) place a copy of the statement in Part I of the register together with a copy of the related application;
- (b) send to the Scottish Ministers a copy of the application, and of any plans and other documents sent with it, and three copies of the statement;
- (c) send a copy of the statement to each consultation body, consult them about it and inform them that they may make representations; and
- (d) send a copy of the statement to the Health and Safety Executive where they 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 and consult them about it and inform them that they may make representations

(2) Where a statement such as is referred to in paragraph (1) is submitted to the planning authority in relation to an application for planning permission, the applicant must let the planning authority have enough copies of the environmental statement or parts thereof to enable them to comply with paragraph (1)(c) and five additional copies.

(3) Where under this regulation a planning authority consult any person about any statement, they—

- (a) must give not less than four weeks' notice to such person that environmental information is to be taken into consideration; and
- (b) must not take the environmental information into consideration until after the expiration of the period of such notice.

(4) Where any person whom a planning authority are required to consult under this regulation considers that consultation with that person is not required in respect of any statement relating to any case or class of case or relating to any specified area and so inform the planning authority in writing then the planning authority are not required to consult that person under this regulation.