
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 102

**The Town and Country Planning (Environmental
Impact Assessment) (Scotland) Regulations 2017**

PART 5

**PUBLICITY AND PROCEDURES ON SUBMISSION OF
ENVIRONMENTAL IMPACT ASSESSMENT REPORTS**

Consultation where EIA report received by planning authority

22.—(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)) an EIA report, they must—

- (a) send a copy of the EIA report to the Scottish Ministers and to the bodies mentioned in paragraph (2); and
- (b) consult the bodies mentioned in paragraph (2) about the EIA report and inform them how and by what date representations may be made (being a date not earlier than 30 days after the date on which the copy of the EIA report was sent).

(2) The bodies are—

- (a) the consultation bodies;
- (b) the Health and Safety Executive where it would be required to be consulted under paragraph 3 or 4 of schedule 5 of the Development Management Procedure Regulations in relation to the application for planning permission for the proposed development;
- (c) the Office for Nuclear Regulation where it would be required to be consulted under paragraph 3A of schedule 5 of the Development Management Procedure Regulations in relation to the application for planning permission for the proposed development; and
- (d) any other public body which the planning authority considers are likely to have an interest in the proposed development by reason of their specific environmental responsibilities or local and regional competencies.

(3) Where an EIA report is submitted to the planning authority in relation to an application for planning permission, the developer must let the planning authority have enough copies of the EIA report to enable them to comply with paragraph (1)(a) and one additional copy.

(4) Where a body which a planning authority are required to consult under this regulation considers that consultation with that body is not required in respect of any EIA report 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 body under this regulation.