
SCOTTISH STATUTORY INSTRUMENTS

2020 No. 465

The Island Communities Impact Assessments (Publication and Review of Decisions) (Scotland) Regulations 2020

PART 3

Review of decisions of relevant authorities relating to island communities impact assessments: procedure

Grounds of review

4. An applicant may request a review of a decision where the applicant can demonstrate that the applicant has been or is likely to be directly affected by the policy, strategy or service which is the subject matter of that decision and—

- (a) the applicant disagrees with the published explanation of the relevant authority under section 8(4) of the Act for not preparing an island communities impact assessment,
- (b) the applicant considers that the relevant authority, in making its decision, has failed in its duty under section 8(3)(a) of the Act to describe the likely significantly different effect of the policy, strategy or service (as the case may be),
- (c) the applicant considers that the relevant authority, in making its decision, has failed in its duty under section 8(3)(b) of the Act to assess the extent to which the relevant authority considers that the policy, strategy or service (as the case may be) can be developed or delivered in such a manner as to improve or mitigate, for island communities, the outcomes resulting from it, or
- (d) the relevant authority has reviewed a policy, strategy or service (as the case may be) and has decided not to prepare an island communities impact assessment for that policy, strategy or service and has not published an explanation for not preparing an island communities impact assessment and the applicant considers that policy, strategy or service has an effect on an island community which is significantly different from its effect on other communities (including other island communities) in the area in which the relevant authority exercises its functions.