



# Roads (Scotland) Act 1984

## 1984 CHAPTER 54

### PART III

#### NEW ROADS

#### [<sup>F1</sup>20G. Monitoring measures

- (1) Where the Scottish Ministers have decided to proceed with a project to construct a new road in relation to which an environmental impact assessment has been required, the Scottish Ministers must consider whether it is appropriate to require monitoring measures to be carried out.
- (2) When considering whether to require monitoring measures to be carried out, and the nature of any such monitoring measures, the Scottish Ministers must consider—
  - (a) whether monitoring measures are proportionate to the nature, location and size of the project and the significance of its effects on the environment having regard in particular to the type of parameters to be monitored and the duration of the monitoring;
  - (b) in order to avoid duplication of monitoring, whether monitoring arrangements required under <sup>F2</sup>... other legislation applicable in Scotland are more appropriate; and
  - (c) if monitoring measures are to be required, whether provision should be made to require appropriate remedial action.
- (3) Where the Scottish Ministers consider that it is appropriate to require monitoring measures they must do so.
- (4) Where mitigation measures or monitoring measures are required by a condition imposed as part of the decision to proceed with the project the Scottish Ministers must take steps to ensure that those measures are implemented.
- (5) In this section “monitoring measures” means measures requiring the monitoring of any significant adverse effects on the environment of the project.]

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*Changes to legislation: Roads (Scotland) Act 1984, Section 20G is up to date with all changes known to be in force on or before 07 March 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes*

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#### **Textual Amendments**

- F1** Ss. 20A-20G substituted for ss. 20A, 20B (16.5.2017) by [The Roads \(Scotland\) Act 1984 \(Environmental Impact Assessment\) Regulations 2017 \(S.S.I. 2017/137\)](#), regs. 1, **5** (with reg. 12)
- F2** Words in s. 20G(2)(b) repealed (31.12.2020) by [The Environmental Impact Assessment \(Transport\) \(EU Exit\) \(Scotland\) \(Amendment\) Regulations 2019 \(S.S.I. 2019/415\)](#), regs. 1, **2(6)**; 2020 c. 1, Sch. 5 para. 1(1)
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#### **Modifications etc. (not altering text)**

- C1** Ss. 20A-20G power to amend or repeal conferred (26.12.2023) by [Levelling-up and Regeneration Act 2023 \(c. 55\)](#), ss. 164(3), 255(5), **Sch. 14 Pt. 2** (with s. 247)

**Changes to legislation:**

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[View outstanding changes](#)

**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- s. 152(3)(3ZA) substituted for s. 152(3) by [2019 asp 17 s. 124\(2\)](#)