
STATUTORY INSTRUMENTS

1988 No. 1221

The Environmental Assessment (Scotland) Regulations 1988

PART IV

SPECIFIC DEVELOPMENTS IN NEW TOWNS

Application for direction to the Secretary of State

61.—(1) An application to the Secretary of State under regulation 50(2)(b) or (c) for a direction shall be accompanied by—

- (a) a copy of the applicant's specific development application;
- (b) a copy of any document relating to that application;
- (c) a brief description of the nature and purpose of the proposed development and of its possible effects on the environment;
- (d) a copy of the development corporation's opinion under regulation 50(1); and
- (e) any representations which the applicant wishes to make.

(2) On the date on which an application is made to the Secretary of State for a direction under regulation 50(2)(b) or (c), the applicant shall send to the development corporation a copy of—

- (a) his letter to the Secretary of State; and
- (b) any representations he has made;

and the development corporation may within 4 weeks beginning with that date make written comments to the Secretary of State on any issue relating to the application.

(3) Where, in respect of a proposed specific development to be carried out by the development corporation under regulation 57, the Secretary of State notifies the development corporation that he intends to make a direction in accordance with regulation 49, or the development corporation applies to him to make such a direction, the development corporation shall provide the Secretary of State with—

- (a) a plan sufficient to identify the land on which the proposed specific development would be carried out;
- (b) a description of the nature and purpose of the proposed specific development and of its likely effects on the environment;
- (c) a copy of any opinion received from an authority, body or person mentioned in Schedule 4 whom the development corporation have consulted; and
- (d) any representations which the development corporation wish to make.

(4) Where the Secretary of State considers that the documents put before him do not provide him with sufficient information to enable him to give a direction, the applicant or the development corporation, as appropriate, shall supply him with such further information as he may request, and the supplier of the information shall at the same time send a copy of that information, as appropriate, to the development corporation or the applicant.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

(5) If on the expiry of 8 weeks from the date of the receipt by the Secretary of State of the application referred to in paragraph (1) or in paragraph (3) (or such longer period as the Secretary of State may, during the said 8 weeks, or any period so extended, notify in writing to the applicant and the development corporation, in the case of an application referred to in paragraph (1), or to the development corporation, in the case of an application referred to in paragraph (3)) the Secretary of State does not issue a direction, he shall be deemed to have directed that consideration of environmental information shall be required.