
SCOTTISH STATUTORY INSTRUMENTS

1999 No. 1

**The Environmental Impact Assessment
(Scotland) Regulations 1999**

PART II

TOWN AND COUNTRY PLANNING

CHAPTER 6

AVAILABILITY OF DIRECTIONS ETC. AND NOTIFICATION OF DECISIONS

Availability of opinions, directions etc. for inspection

20.—(1) Where particulars of a planning application are placed on Part I of the register, the relevant planning authority shall take steps to secure that there is also placed on that Part a copy of any relevant—

- (a) screening opinion;
- (b) screening direction;
- (c) scoping opinion;
- (d) scoping direction;
- (e) notification given under regulation 7(2), 8(2) or 9(2);
- (f) direction under regulation 4(4);
- (g) environmental statement, including any further information;
- (h) statement of reasons accompanying any of the above.

(2) Where the relevant planning authority—

- (a) adopt a screening opinion or scoping opinion; or
- (b) receive—

- (i) a request under regulation 10(1) or 11(2); or

- (ii) a copy of a screening direction, scoping direction, or direction under regulation 4(4), before an application is made for planning permission for the development in question, the authority shall take steps to secure that a copy of the opinion, request, or direction and any accompanying statement of reasons is made available for public inspection at all reasonable hours at the place where the appropriate register (or relevant section of that register) is kept.

(3) Documents made available under paragraph (2) shall remain so available for a period of two years.

Duties to inform the public and the Scottish Ministers of final decisions

21.—(1) Where an EIA application is determined by a planning authority, the authority shall—

- (a) in writing, inform the Scottish Ministers and the consultation bodies of the decision;
 - (b) inform the public of the decision (and of where the statement referred to in sub-paragraph (c) may be inspected), by publishing a notice in a newspaper circulating in the locality in which the land is situated, or by such other means as are reasonable in the circumstances; and
 - (c) make available for public inspection at the place where the appropriate register (or relevant section of that register) is kept a statement containing—
 - (i) the content of the decision and any conditions attached thereto;
 - (ii) the main reasons and considerations on which the decision is based; and
 - (iii) a description, where necessary, of the main measures to avoid, reduce and, if possible, offset the major adverse effects of the development.
- (2) Where an EIA application is determined by the Scottish Ministers, they shall—
- (a) notify the relevant planning authority and the consultation bodies of the decision; and
 - (b) provide the authority with such a statement as is mentioned in paragraph (1)(c).
- (3) The relevant planning authority shall, as soon as reasonably practicable after receipt of a notification under paragraph (2)(a), comply with sub-paragraphs (b) and (c) of paragraph (1) in relation to the decision so notified as if it were a decision of the authority.