
SCOTTISH STATUTORY INSTRUMENTS

2007 No. 570

**TRANSPORT AND WORKS
TRANSPORT
CANALS AND INLAND WATERWAYS**

The Transport and Works (Scotland) Act 2007
(Applications and Objections Procedure) Rules 2007

Made - - - - 18th December 2007

Coming into force 28th December 2007

**THE TRANSPORT AND WORKS (SCOTLAND) ACT 2007
(APPLICATIONS AND OBJECTIONS PROCEDURE) RULES 2007**

1. Citation and commencement
2. Interpretation
- 2A Environmental impact assessment
3. Pre-application documentation
4. Provision of environmental information
5. EIA application and screening decision
6. Scoping opinion
7. Form of application
8. Documents accompanying application
9. Environmental impact assessment report
10. Plans, sections and book of reference
11. Deposit of copy application etc. with others
12. Publicity for application
13. Notices to owners, occupiers etc.
14. Developments likely to have significant effects on the environment of another part of the United Kingdom or certain other states
15. Further information and notices
- 15A Co-ordination of assessments
16. Waiver of requirements in relation to applications
17. Fees for applications
18. Orders made by the Scottish Ministers by virtue of section 6
19. Objections: general
20. Notice of objections

Changes to legislation: There are currently no known outstanding effects for the The Transport and Works (Scotland) Act 2007 (Applications and Objections Procedure) Rules 2007. (See end of Document for details)

21. Application of written representations procedure
22. Procedure by written representations
23. Submission of objections to inquiry or hearing
24. Making of representations
25. Power to set later time limits
26. Competent authority – avoidance of conflict of interest
Signature

SCHEDULE 1 INFORMATION FOR INCLUSION IN
ENVIRONMENTAL IMPACT ASSESSMENT REPORTS

1. A description of the proposed project, including in particular—
2. A description of the reasonable alternatives (for example in terms...
3. A description of the relevant aspects of the current state...
4. A description of the factors specified in rule 2A(3) likely...
5. A description of the likely significant effects of the proposed...
6. The description of the likely significant effects on the factors...
7. A description of the forecasting methods or evidence used to...
8. A description of the measures envisaged to avoid, prevent, reduce...
9. A description of the expected significant adverse effects of the...
10. A non-technical summary of the information provided under points 1...
11. A reference list detailing the sources used for the descriptions...

SCHEDULE 2 FORMS OF NOTICE

- Form 1
- Form 2
- Form 3
- Form 4
- Form 5

SCHEDULE 3 THOSE TO BE SERVED WITH A COPY OF THE
APPLICATION AND DOCUMENTS

SCHEDULE 4 THOSE TO BE SERVED WITH NOTICE OF
APPLICATION

SCHEDULE 5 PROPOSALS FOR ORDERS BY VIRTUE OF SECTION
6

1. In this Schedule “the publication date” means the date of...
2. Where by virtue of this Schedule any provisions of these...
3. When the Scottish Ministers propose to make an order by...
4. If the project is of a type mentioned in—
5. Where the project is of a type mentioned in Annex...
6. Any body falling within rule 5(11) consulted pursuant to paragraph...
7. In reaching a determination as to whether an environmental impact...
8. (1) Where the Scottish Ministers make a determination pursuant to...
9. Where the Scottish Ministers have determined that an environmental impact...
10. Where any body consulted pursuant to paragraph 9 wishes to...
11. Where, following completion of any necessary action pursuant to paragraphs...
- 11A Where the Scottish Ministers have determined that an environmental impact...
12. The Scottish Ministers shall publish, in at least one newspaper...
- 12A Where the Scottish Ministers have determined that an environmental impact...

13. The places referred to in paragraph 12(b) shall include a...
 14. The Scottish Ministers shall, as soon as possible after the...
 15. The Scottish Ministers shall, as soon as possible after the...
 16. The documents to be served by virtue of paragraph 14,...
 17. The Scottish Ministers may, if the Scottish Ministers consider it...
 18. Where the proposed order would authorise the works or other...
 19. Where the Scottish Ministers have determined that an environmental impact...
 20. The Scottish Ministers shall not be obliged by virtue of...
 21. Where the proposed order includes works or other matters specified...
 22. Where the proposed order makes any provision–
 23. Where the proposed order would authorise works, the Scottish Ministers...
 24. Where the proposed order would authorise any of the matters...
 25. The Scottish Ministers shall take all reasonable steps to ensure...
 26. The Scottish Ministers shall supply a copy of any document...
 27. Where paragraph 16(i) applies, the Scottish Ministers shall, as soon...
 28. Where pursuant to rule 10(9), as applied by paragraph 16(i),...
 29. Where it appears to the Scottish Ministers that the proposed...
 30. (1) This paragraph shall apply where– (a) it appears to...
 31. (1) Where after serving a copy of anyEIA report under...
 32. Subject to paragraphs 33 and 34, the Scottish Ministers may,...
 33. The Scottish Ministers shall not waive any provisions of paragraphs...
 34. Where the Scottish Ministers decide to waive any provisions of...
 35. (1) Subject to sub paragraph (2), an objection made in...
 36. The Scottish Ministers may, upon request, provide any person with...
 37. The Scottish Ministers may, for the purpose of determining whether...
 38. The Scottish Ministers may disregard any comments that are not...
 39. Where the Scottish Ministers cause a public local inquiry or...
 40. Paragraphs 35, 36 and 39 shall apply to the making...
 41. Rule 4 has effect in relation to any proposal of...
- Explanatory Note

Changes to legislation:

There are currently no known outstanding effects for the The Transport and Works (Scotland) Act 2007 (Applications and Objections Procedure) Rules 2007.