
DRAFT SCOTTISH STATUTORY INSTRUMENTS

2007 No.

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

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

Made - - - - 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
3. Pre-application documentation
4. Provision of environmental information
5. The requirement for environmental statement and screening decision
6. Scoping opinion
7. Form of application
8. Documents accompanying application
9. Environmental statements: provision of information
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
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
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
Signature

SCHEDULE 1 — INFORMATION TO BE INCLUDED IN ENVIRONMENTAL STATEMENT

1. A description of the proposed project, including in particular—
2. An outline of the main alternatives studied by the applicant...
3. A description of the aspects of the environment likely to...
4. A description of the likely significant effects of the proposed...
5. A description of the measures envisaged to prevent, reduce and...
6. A non technical summary of the information provided under paragraphs...
7. An indication of any difficulties (technical deficiencies or lack of...

SCHEDULE 2 — FORMS OF NOTICE

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— (a) falling within rule 5(7)(a) to (d), consulted...
7. In reaching a determination as to whether an environmental impact...
8. Any determination by the Scottish Ministers as to whether an...
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...
12. The Scottish Ministers shall publish, in at least one newspaper...
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. The Scottish Ministers shall, as soon as possible after the...
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 any environmental statement...
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. The following provisions of these Rules shall also have effect...

Explanatory Note