

SCHEDULE 3

Rules 8(2) and 11 and rule 18 (with paragraphs 16(d), 18 and 19 of Schedule 5)

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

<i>Column (1)</i> <i>Authority sought for—</i>	<i>Column (2)</i> <i>Documents to be served on—</i>
1. Works or other matters.	1. The relevant constituency member, and each relevant regional member, of the Scottish Parliament.
2. Works affecting the foreshore below mean high water spring tides, or tidal waters, or the bed of, or the subsoil beneath tidal waters.	2. The Crown Estate Commissioners; the Commissioners of Northern Lighthouses; Scottish Natural Heritage; the Scottish Ministers (marked “for the attention of the Scottish Government Transport Directorate”); the Secretary of State for Transport (marked “for the attention of Maritime and Coastguard Agency”); the Scottish Environment Protection Agency; the Royal Yachting Association.
3. Works affecting the banks or the bed of, or the subsoil beneath, a river.	3. The Scottish Environment Protection Agency; the relevant district salmon fishery board.
4. Works affecting the banks or the bed of, or the subsoil beneath, an inland waterway comprised in the undertaking of the British Waterways Board or any reservoirs, feeders, sluices, locks, lifts, drains and other works comprised in or serving the undertaking.	4. The British Waterways Board; the Inland Waterways Advisory Council; Scottish Natural Heritage; the Scottish Environment Protection Agency; Scottish Water.
5. Works affecting the banks or the bed of, or the subsoil beneath, an inland waterway not comprised in the undertaking of the British Waterways Board or any reservoirs, feeders, sluices, locks, lifts, drains and other works comprised in or serving that inland waterway.	5. The Inland Waterways Advisory Council; the Scottish Environment Protection Agency; Scottish Natural Heritage; Scottish Water; the operator of the relevant inland waterway.
6. Works causing or likely to cause an obstruction to the passage of fish in a river.	6. Scottish Natural Heritage; the Scottish Environment Protection Agency; the relevant district salmon fishery board.
7. Works involving tunnelling or excavation deeper than 3 metres below the surface of the land, other than for piling or making soil test.	7. The Scottish Environment Protection Agency.

*Status: This is the original version (as it was originally made).*

<i>Column (1)</i> <i>Authority sought for–</i>	<i>Column (2)</i> <i>Documents to be served on–</i>
<b>8.</b> Works affecting an area under the control of a harbour authority as defined in section 57(1) of the Harbours Act 1964 (interpretation)(1).	<b>8.</b> The relevant harbour authority and the relevant navigation authority (if different).
<b>9.</b> Works affecting a site protected under section 1 of the Protection of Wrecks Act 1973 (protection of sites of historic wrecks)(2).	<b>9.</b> The Scottish Ministers (marked “for the attention of Historic Scotland”).
<b>10.</b> Works affecting, or involving the stopping-up or diversion of, a road or affecting a proposed road.	<b>10.</b> The relevant roads authority or, where the road is not maintainable at the public expense, the road managers.
<b>11.</b> The stopping up or diversion of a footpath, a bridleway or a cycle track.	<b>11.</b> The relevant community council; the Scottish Public Rights of Way Society; the Ramblers Association Scotland; the British Horse Society; Sustrans Scotland; Cycling Scotland.
<b>12.</b> The construction of a transport system involving the placing of equipment in or over a road.	<b>12.</b> The relevant roads authority or, where the road is not maintainable at the public expense, the road managers.
<b>13.</b> Works affecting land in, on or over which is installed the equipment of a statutory undertaker.	<b>13.</b> The relevant statutory undertaker.
<b>14.</b> Works in an area of coal working notified to the planning authority by the British Coal Corporation or the Coal Authority.	<b>14.</b> The Coal Authority.
<b>15.</b> Works affecting– (i) a building listed under Part 1 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997(3) or its setting; (ii) a conservation area designated under Part 2 of that Act; or (iii) a scheduled monument within the meaning of section 1(11) of the Ancient Monuments and Archaeological Areas Act 1979(4).	<b>15.</b> The Scottish Ministers (marked “for the attention of Historic Scotland”).
<b>16.</b> Works affecting a garden or other designed landscape identified in “An Inventory	<b>16.</b> The Scottish Ministers (marked “for the attention of Historic Scotland”).

(1) 1964 c. 40.  
(2) 1973 c. 33.  
(3) 1997 c. 9.  
(4) 1979 c. 46.

<i>Column (1)</i> <i>Authority sought for–</i>	<i>Column (2)</i> <i>Documents to be served on–</i>
of Gardens and Designed Landscapes in Scotland – List of Sites 2007”, published by the Scottish Ministers in 2007(5).	
<b>17. Works affecting–</b>	<b>17. Scottish Natural Heritage;</b>
(i) a site of special scientific interest notified under section 23 of the National Parks and Access to the Countryside Act 1949(6) or section 3(1) or 5(1) of the Nature Conservation (Scotland) Act 2004(7) or land within 3 kilometres of any such site;	the Scottish Environment Protection Agency.
(ii) an European site or an European marine site as those expressions are defined in regulations 2(1) and 10(1) of the Conservation (Natural Habitats, &c.) Regulations 1994(8) or land within 3 kilometres of any such site;	
(iii) a national scenic area designated under section 263A of the Town and Country Planning (Scotland) Act 1997(9) or land within 3 kilometres of any such area;	
(iv) land in respect of which a declaration has been made under section 19 of the National Parks and Access to the Countryside Act 1949 (declarations that areas are nature reserves)(10) or land declared to be a national nature reserve under section 35 of the Wildlife and Countryside Act 1981(11) or other land within 3 kilometres of any such land; or	

(5) ISBN 978 1 904966 44 9. A copy is available at [www.historic-scotland.gov.uk](http://www.historic-scotland.gov.uk).

(6) 1949 c. 97; section 23 was repealed by the Wildlife and Countryside Act 1981 (c. 69), Schedule 17, but notifications under section 23 can continue to have effect by virtue of the Nature Conservation (Scotland) Act 2004 (asp 6), schedule 5, paragraphs 8 to 10.

(7) 2004 asp 6.

(8) S.I.1994/2716; the relevant amending instruments are S.S.I. 2004/475 and 2007/80.

(9) 1997 c. 8; section 263A is inserted by the Planning etc. (Scotland) Act 2006 (asp 17), section 50.

(10) Section 19 was amended by the Nature Conservancy Council Act 1973 (c. 54), Schedule 1, paragraph 1.

(11) 1981 c. 69.

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<i>Column (1)</i> <i>Authority sought for–</i>	<i>Column (2)</i> <i>Documents to be served on–</i>
<p>(v) a site designated for inclusion in the list of wetlands of international importance pursuant to the Convention on Wetlands of International Importance signed at Ramsar, Iran on 2nd February 1971, as amended by–</p> <p style="padding-left: 40px;">(a) the Protocol known as the Paris Protocol done at Paris on 3rd December 1982; and</p> <p style="padding-left: 40px;">(b) the amendments known as the Regina Amendments adopted at the Extraordinary Conference of the Contracting Parties held at Regina, Saskatchewan, Canada, between 28th May and 3rd June 1987,</p> <p style="padding-left: 40px;">or land within 3 kilometres of any such site.</p> <p><b>18.</b> Works affecting land used, or last used, as a playing field.</p> <p><b>19.</b> Works affecting amenity in the area of a community council.</p> <p><b>20.</b> Works affecting a National Park designated by an order made under section 6(1) of the National Parks (Scotland) Act 2000<b>(12)</b>.</p> <p><b>21.</b> Works which are within 250 metres of land that is or has been used for the deposit of refuse or waste.</p> <p><b>22.</b> The carrying out of an operation requiring hazardous substances consent under the Planning (Hazardous Substances) (Scotland) Act 1997<b>(13)</b>.</p>	<p><b>18.</b> Sportscotland.</p> <p><b>19.</b> The relevant community council.</p> <p><b>20.</b> The relevant National Park authority; Scottish Natural Heritage.</p> <p><b>21.</b> The Scottish Environment Protection Agency.</p> <p><b>22.</b> The relevant local authority; the relevant National Park authority; all those referred to as consultees in regulation 11(1) of the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 (consultation before grant of hazardous substances consent)<b>(14)</b>.</p>

**(12)** 2000 asp 10.

**(13)** 1997 c. 10.

**(14)** S.I. 1993/323 as amended by S.I. 1994/2567 and 1996/252 and S.S.I. 2000/179 and 2003/1.

<i>Column (1)</i> <i>Authority sought for–</i>	<i>Column (2)</i> <i>Documents to be served on–</i>
<b>23.</b> Works which would affect the operation of any existing railway or tramway services provided under statutory powers or the construction of a new railway or of any new tramway.	<b>23.</b> The Scottish Ministers (marked “for the attention of Transport Scotland”); the Office of Rail Regulation; Network Rail; the Rail Passengers' Council; the Public Transport Users' Committee for Scotland; the British Transport Police Authority; the operator of the relevant transport system.
<b>24.</b> The right for a person providing transport services to use a transport system belonging to another or works to alter or demolish a transport system.	<b>24.</b> The operator of the relevant transport system.
<b>25.</b> Works affecting land in which there is a Crown interest.	<b>25.</b> The appropriate authority for the land.
<b>26.</b> Works.	<b>26.</b> The relevant local authority; Scottish Environmental Link (Company Number SC250899).