
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 246

The Electricity Works (Environmental Impact Assessment) (Scotland) Amendment Regulations 2008

Amendments to regulation 9 of the principal Regulations

7. In regulation 9 of the principal Regulations (publicity where an application is accompanied by an environmental statement)–

(a) for paragraph (1) substitute–

“(1) Subject to regulation 12(5), in any case where an applicant for a section 36 consent or a section 37 consent which relates to EIA development has provided the Scottish Ministers with an environmental statement the applicant shall, as soon after provision of that statement as is reasonably practicable, publish in accordance with paragraph (1A) a notice containing the information specified in paragraph (2).

(1A) A notice to which paragraph (1) applies shall be published in two successive weeks in–

(a) the Edinburgh Gazette; and

(b) one or more newspapers circulating in the locality in which the land to which the application relates is situated (or, in relation to a proposed development in, on, over or under the sea, in such newspapers as are likely to come to the attention of those likely to be affected by the proposed development).”;

(b) for paragraph (2)(a) substitute–

“(a) describe the application in question, state that it is accompanied by an environmental statement and, where relevant, state that it is likely to have significant effects on the environment in another EEA State;”;

(c) at the end of paragraph (2)(b) omit “and”;

(d) in paragraph (2)(c) for “paragraph (1)” substitute “paragraph (1A)”;

(e) after paragraph (2)(c) insert–

“(d) describe the procedures under regulations 14 and 14A in accordance with which any person may make representations in relation to–

(i) further information provided by the applicant pursuant to a requirement imposed under regulation 13(1); or

(ii) additional information;

(e) describe the circumstances under the Act in which the Scottish Ministers may cause a public inquiry to be held into the application; and

(f) set out the nature of possible decisions to be taken in relation to the application.”;

and

(f) in paragraph (4) for “regulation 11(1) or (3)” substitute “regulation 11(1), (3) or (3A)”.