
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 101

The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017

PART 4

PREPARATION OF ENVIRONMENTAL IMPACT ASSESSMENT REPORTS

Procedure to facilitate preparation of EIA reports

13.—(1) A developer who intends to submit an EIA report to the Scottish Ministers under these Regulations may give notice in writing to the Scottish Ministers under this paragraph.

(2) A notice under paragraph (1) must include the information necessary to identify the location of, and the nature and purpose, of the development, and must indicate the main environmental consequences to which the developer proposes to refer in the EIA report.

(3) Where the Scottish Ministers receive notice under paragraph (1) or a written statement made pursuant to regulation 11(4) from a developer they must—

(a) notify—

(i) the consultation bodies; and

(ii) any other public body which the Scottish Ministers consider is likely to have an interest in the proposed development by reason of that body's specific environmental responsibilities or local and regional competencies,

in writing of the name and address of the developer and of the duty imposed on those bodies by paragraph (4) to make information available to the developer; and

(b) inform in writing the developer of the names and addresses of the bodies so notified.

(4) Subject to paragraph (5), any body notified in accordance with paragraph (3) must, if requested by the developer—

(a) enter into consultation with the developer to determine whether the body has in its possession any information which that body or the developer considers to be relevant to the preparation of the EIA report; and

(b) if the body has any such information, the body must make any that information available to the developer.

(5) In relation to a person to which the Environmental Information (Scotland) Regulations 2004⁽¹⁾ apply, paragraph (4) does not require disclosure of information which the person—

(a) may refuse to disclose under regulation 10(1) (exceptions from duty to make environmental information available) of those Regulations; or

(b) is prevented from disclosing by regulation 11(1) (personal data) of those Regulations.

(6) In relation to a person to which the Environmental Information Regulations 2004⁽²⁾ apply, paragraph (4) does not require disclosure of information which the person—

- (a) may refuse to disclose under regulation 12(1) (exceptions to the duty to disclose environmental information) of those Regulations; or
- (b) is prevented from disclosing by regulation 13(1) (personal data) of those Regulations.

(7) A reasonable charge reflecting the cost of making the relevant information available may be made by a body which makes information available in accordance with paragraph (4).

(2) S.I. 2004/3391.