

---

SCOTTISH STATUTORY INSTRUMENTS

---

**2017 No. 102**

**The Town and Country Planning (Environmental  
Impact Assessment) (Scotland) Regulations 2017**

**PART 4**

**PREPARATION OF ENVIRONMENTAL IMPACT ASSESSMENT REPORTS**

**Procedure to facilitate preparation of EIA reports**

**19.**—(1) A developer who intends to submit an EIA report to the planning authority or the Scottish Ministers under these Regulations may give notice in writing to that planning authority or the Scottish Ministers under this paragraph.

(2) A notice under paragraph (1) must include the information necessary to identify the land 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 planning authority or the Scottish Ministers receive notice under paragraph (1) or a written statement made pursuant to regulation 12(4)(a), 14(4), 15(3) or 16(3)(a) from a developer, they must—

- (a) notify the bodies specified in paragraph (4) in writing of the name and address of the developer and of the duty imposed on those bodies by paragraph (5) 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) The bodies are—

- (a) the consultation bodies; and
- (b) any other public body which the planning authority considers is likely to have an interest in the proposed development by reason of that body's specific environmental responsibilities or local and regional competencies.

(5) Subject to paragraph (6), the planning authority and 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 planning authority or the body have in their possession any information which the developer or they consider relevant to the preparation of the EIA report; and
- (b) the planning authority or body must make any such information available to the developer.

(6) In relation to a person to which the Environmental Information (Scotland) Regulations 2004(1) apply, paragraph (6) 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.

(7) In relation to a person to which the Environmental Information Regulations 2004<sup>(2)</sup> 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.

(8) A reasonable charge reflecting the cost of making the relevant information available may be made by any person who makes information available in accordance with paragraph (5).

---

(2) S.I. 2004/3391.