
SCOTTISH STATUTORY INSTRUMENTS

2017 No. 74

The Transport and Works (Scotland) Act 2007 (Applications and Objections Procedure) Amendment Rules 2017

Amendment of rule 12

11. In rule 12 (publicity for application)—

- (a) in paragraph (4)(e) after “documents” insert “, including the EIA report,”;
- (b) after paragraph (9) insert—

“(10) In relation to an EIA application the Scottish Ministers must publish on the website referred to in rule 5(17)(c) a notice which—

- (a) describes the application and proposed works to which the report relates;
- (b) states that the proposed works are subject to environmental impact assessment and, where relevant, states that they are likely to have significant effects on the environment in another EEA State;
- (c) states that the EIA report is available for inspection free of charge and the times and places at which, and the means by which, the report is available for inspection;
- (d) states how copies of the EIA report may be obtained;
- (e) states the cost of a copy of the EIA report;
- (f) states how and by what date objections or representations may be made (being a date not earlier than 30 days after the last date on which the notice is published);
- (g) provides details of the arrangements for public participation in the decision making procedure, including a description of the procedures requiring the publication of additional information submitted subsequently by the applicant and in accordance with which any person may make objections or representations in relation to that additional information, and the circumstances under the Act in which the Scottish Ministers may cause a public local inquiry or hearing to be held into the application; and
- (h) states the nature of possible decisions to be taken in relation to the application and provides details of the authority by whom such decisions are to be taken.

(11) Where an EIA report is provided in relation to an EIA application, the applicant must ensure that a reasonable number of copies of the report are available at an address specified on the website referred to in rule 5(17)(c).

(12) A reasonable charge reflecting printing and distribution costs may be made to a member of the public for a copy of the report made available in accordance with paragraph (11).”