

POLICY NOTE

THE ENVIRONMENTAL AUTHORISATIONS (SCOTLAND) REGULATIONS 2018

SSI 2018/219

The above instrument is made in exercise of the powers conferred by sections 18 and 58 and schedule 2 of the Regulatory Reform (Scotland) Act 2014 (“the 2014 Act”). The instrument is subject to affirmative procedure.

Policy Objectives

1. These Regulations introduce the basis for an integrated framework of environmental authorisations. The purpose of the framework is to integrate the authorisation, procedural and enforcement arrangements relating to the existing water, waste, radioactive substances and pollution prevention and control regimes.
2. The Regulations are the first step towards the delivery of this integrated framework. They put in place the common framework and introduce the technical provisions relating to the radioactive substances regime.
3. The Regulations also transpose key elements of the Basic Safety Standards Directive (Directive 2013/59/EURATOM).

Consultation

4. In January 2017, a consultation on a detailed set of proposals was published. 61 responses were received. The vast majority of respondents agreed with the proposals, and feedback was taken on board to inform the development of the draft Regulations. These matters are described in the consultation report published on the Scottish Government website.
5. The draft Regulations were subject to public consultation during September-November 2017. This time 29 responses were received. The bulk of the detailed provisions set out in the draft Regulations were widely supported. Some comments on specific points of detail were made, and these have been taken into account in preparing this version. These matters are described in the consultation report published on the Scottish Government website.

Impact assessments and financial effects

6. There are no equality/children’s/privacy issues so no impact assessments on these matters have been completed.
7. A Business and Regulatory Impact Assessment (BRIA) has been completed and is attached.

Scottish Government
Environmental Quality and Circular Economy Division
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