

APPENDIX V2-4.1: LEGISLATION, POLICY AND GUIDANCE

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1.1 Legislation, Policy and Guidance

1.1.1 The following legislation, guidance and information sources have been considered in carrying out this assessment.

International Directives

- European Union Council Directive 92/43/EEC on the Conservation of Natural Habitats and of Wild Fauna and Flora (“Habitats Directive”)
- European Union Council Directive 2000/60/EC of the European Parliament and of the Council establishing a framework for the Community action in the field of water policy (“Water Framework Directive”)
- Environmental Impact Assessment Directive 85/337/EEC, as amended (“EIA Directive”), (as subsequently codified by Directive 2011/92/EU, and as amended by Directive 2014/52/EU)

National Legislation

- The Electricity Works (Environmental Impact Assessment) (Scotland) Regulations 2017
- The Conservation (Natural Habitats &c.) Regulations 1994 (as amended) (“the 1994 Habitats Regulations”)
- The Conservation of Habitats and Species Regulations 2017 (“the 2017 Habitats Regulations”)
- The Water Environment and Water Services (Scotland) Act 2003 (WEWS)
- Nature Conservation (Scotland) Act 2004 (as amended)
- Wildlife and Natural Environment (Scotland) Act 2011 (WANE)
- The Water Environment (Controlled Activities) (Scotland) Regulations 2011
- Salmon and Freshwater Fisheries (Consolidation) (Scotland) Act 2003
- The Wildlife and Countryside Act 1981 (as amended)
- The Protection of Badgers Act 1992

National Policy

- JNCC and DEFRA (2012). UK Post-2010 Biodiversity Framework
- Scottish Government (2000). Planning Advice Note (PAN) 60: Planning for Natural Heritage
- Scottish Executive (2004). Scottish Biodiversity Strategy: It’s in Your Hands
- Scottish Government (2013). 2020 Challenge for Scotland’s Biodiversity
- Scottish Government (2015). Scotland’s Biodiversity: a route map to 2020
- Scottish Government (2014). Scottish Planning Policy

Guidance and Information

- Chartered Institute for Ecological and Environmental Management (CIEEM) (2018). Guidelines for Ecological Impact Assessment in the UK and Ireland: Terrestrial, Freshwater, Coastal and Marine. Chartered Institute of Ecology and Environmental Management, Winchester
- Collins, J. (2016). Bat Surveys for Professional Ecologists: Good Practice Guidelines (3rd edition). Bat Conservation Trust
- Highland Nature (2021). Biodiversity Action Plan 2021-2026 (Draft)
- Joint Nature Conservation Committee (2013). Guidelines for selection of biological Sites of Special Scientific Interest (SSSI)
- Scottish Badgers (2018). Good Practice Guidelines

- SEPA (2017). Land Use Planning System Guidance Note 31 – Guidance on Assessing the Impacts of Development Proposals on Groundwater Abstractions and Groundwater Dependent Terrestrial Ecosystems
- Scottish Executive (2000). Nature conservation: implementation in Scotland of EC Directives on the conservation of natural habitats and of wild flora and fauna and the conservation of wild birds (“The Habitats and Birds Directives”). Revised guidance updating Scottish Office Circular No. 6/1995
- SERAD (Scottish Executive Rural Affairs Department) (2001). European Protected Species, Development Sites and the Planning Systems: Interim guidance for local authorities on licensing arrangements
- Scottish Government (2016). Draft Peatland and Energy Policy Statement
- Scottish Government (2017). Planning Advice Note 1/2013 – Environmental Impact Assessment, Revision 1.0
- Scottish Government (2017). Planning Circular 1/2017: Guidance on The Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2017
- Scottish Government, Scottish Natural Heritage (SNH) and SEPA (2017). Peatland Survey – Guidance on Developments on Peatland
- Scottish Government (2019). The Scottish Forestry Strategy (SFS)
- Scottish Government (2020). Securing a green recovery on a path to net zero: climate change plan 2018-2032 – update
- Scottish Government (2020). Update to the Climate Change Plan 2018 – 2032
- Scottish Government (2020). EU Exit: habitats regulations in Scotland
- Skye and Lochalsh Biodiversity Group (2003). The Skye and Lochalsh Biodiversity Action Plan
- SNH (2015). Scotland’s National Peatland Plan
- SNH (2016). Planning for Development: What to consider and include in deer assessments and management at development sites (Version 2)
- SNH (2016). Planning for Development: What to consider and include in Habitat Management Plans. Version 2
- SNH (2018). Advising on carbon-rich soils, deep peat and priority peatland habitat in development management
- SNH (2018). Environmental Impact Assessment Handbook – Version 5: Guidance for competent authorities, consultation bodies, and others involved in the Environmental Impact Assessment process in Scotland