

PUBLIC CONSULTATION - ON THE EXTENSION OF PEOs

Purpose

1. To approve the publication of the attached consultation documents.

Background

2. The content within the Aarhus Strategy paper was considered at the December 2025 SCJC meeting. One of the policy decisions taken covered the need to run a 2026 Public Consultation on a fully Aarhus compliant set of rules and the relevant extract from the minutes reads as follows:

The Council agreed to run a 2026 Public Consultation on extending the availability of *Environmental PEOs* to:

- All relevant cases in the Court of Session (other than Group Procedure);
- All applications for *leave to appeal* onwards to the UK Supreme Court;
- All relevant cases in the Sheriff Appeal Court; and
- All relevant cases in the sheriff courts (under the rules for ordinary cause, summary cause, simple procedure, summary applications and statutory appeals).

3. The consultation documents needed to progress the implementation of that fully Aarhus compliant set of rules are now attached:
 - Consultation Paper (**Paper 4.3A**)
 - Draft Rules (**Paper 4.3A**)
 - Business and Regulatory Impact Assessment (BRIA) (**Paper 4.3A**)
 - Equalities Impact Assessment (EQIA) (**Paper 4.3A**)

Recommendation

4. It is recommended that members:
 - Consider the content within each consultation document;
 - Provide any comments or suggested changes: and
 - Approve the publication of the 2026 Public Consultation.

Secretariat to the Scottish Civil Justice Council
June 2026