

Draft Order laid before the Scottish Parliament under section 25(2)(b)(i) of the Public Services Reform (Scotland) Act 2010 for approval by resolution of the Scottish Parliament.

DRAFT SCOTTISH STATUTORY INSTRUMENTS

2013 No.

REGULATORY REFORM

TOWN AND COUNTRY PLANNING

**The Public Services Reform (Planning) (Local Review
Procedure) (Scotland) Order 2013**

Made - - - -

Coming into force - - *2nd February 2013*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 17(1) and (9) of the Public Services Reform (Scotland) Act 2010^(a) (“the Act”) and all other powers enabling them to do so.

The Scottish Ministers consider that the relevant conditions in section 18(2) of the Act are satisfied.

The Scottish Ministers have consulted in accordance with section 26 of the Act.

The Scottish Ministers have laid a draft of this Order and an explanatory document before the Scottish Parliament in accordance with section 25(2)(b) of the Act.

In accordance with section 25(2)(c) of the Act, a draft of this Order has been approved by resolution of the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the Public Services Reform (Planning) (Local Review Procedure) (Scotland) Order 2013 and comes into force on 2nd February 2013.

^(a) 2010 asp 8. Section 25 has been modified by paragraph 5 of schedule 3 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).

Amendment of section 43A of the Town and Country Planning (Scotland) Act 1997

2.—(1) The Town and Country Planning (Scotland) Act 1997^(a) is amended in accordance with paragraph (2).

(2) In section 43A(8)(c) (local developments: schemes of delegation) after “order” insert “or within such extended period as may at any time be agreed upon in writing between the applicant and the person so appointed”.

St Andrew’s House,
Edinburgh
Date

Name
Authorised to sign by the Scottish Ministers

^(a) 1997 c.8. Section 43A was inserted by section 17 of the Planning etc. (Scotland) Act 2006 (asp 17).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends the Town and Country Planning (Scotland) Act 1997. Section 43A(8)(c) enables an applicant to require the planning authority to review the case if the person appointed to determine the application has not done so within the period prescribed by regulations made under that section. The amendment made by article 2 will allow the applicant and the appointed person to extend that period by agreement.

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