

## **EXECUTIVE NOTE**

### **THE PLANNING ETC. (SCOTLAND) ACT 2006 (COMMENCEMENT NO. 11) ORDER 2010 SSI 2010/430 (C. 29)**

The above instrument was made in exercise of the powers conferred by section 59(2) of the Planning etc. (Scotland) Act 2006.

#### **Policy context/objective**

The purpose of the instrument is to amend the provisions of The Planning etc (Scotland) Act 2006 (Commencement No. 10) Order 2010 (SSI 2010/400) in regard to the commencement of section 54(18) of the Planning etc. (Scotland) Act 2006.

The instrument provides that section 54(18)(a) comes into force on 16 December 2010 and that section 54(18)(b)(i) comes into force on 1 February 2011.

The earlier commencement date for section 54(18)(a) is required to enable the Scottish Ministers to make Regulations relating to determination of appeals in respect of planning obligations and good neighbour agreements by appointed persons.

#### **Consultation**

The provisions of the Planning etc. (Scotland) Act 2006 being commenced have previously been subject to consultation through the Bill process. Where regulations are to be made in respect of provisions in the various sections, these have been subject to further separate consultation.

#### **Financial effects**

The effects of the main changes to the planning system were covered in the financial memorandum accompanying the Bill, which became the Planning etc. (Scotland) Act 2006. The regulations resulting from these powers will be accompanied by Business and Regulatory Impact Assessments.

Financial memorandum for the Bill

<http://www.scottish.parliament.uk/business/bills/51-planning/index.htm>

Directorate for the Built Environment  
November 2010