
EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations make provision in connection with the preparation of local development plans under Part 2 of the Town and Country Planning (Scotland) Act 1997 (“the Act”). A local development plan is to be prepared by a planning authority (section 16(1) of the Act). Before preparing a proposed local development plan the planning authority must prepare an evidence report under section 16B of the Act. Part 2 of the Regulations relates to assessment of an evidence report by a person appointed by the Scottish Ministers under section 16B(8) of the Act. Regulation 4 also specifies the meaning of the term “Gypsies and Travellers” for the purposes of the preparation of an evidence report under section 16B of the Act.

Part 3 relates to the preparation and publication of local development plans. In particular regulation 7 sets out a requirement for the inclusion of map or maps to illustrate and identify the location of proposals contained in a local development plan. Regulation 9 prescribes certain information and considerations additional to those set out in section 16(2) of the Act to which the planning authority must have regard when preparing a local development plan. Regulations 10, 11 and 12 prescribe the manner in which a publication, consultation and notification of a proposed local development plan must be done. Regulation 13 sets out the manner in which the proposed local development plan as modified and submitted for examination under section 19 of the Act is to be published.

Part 4 makes provision in relation to the examination of proposed local development plans and Part 5 makes provision for the publication of recommended-modifications statements and reports on modification. Part 6 contains general provisions, these include the matters to be included in a development plan scheme prepared under section 20B of the Act (regulation 22) and how a planning authority is to publish a delivery programme prepared under section 21 of the Act (regulation 23). Regulation 25 specifies certain bodies as “key agencies” for the purposes of various provisions of the Act. Part 6 and the related schedule 4 also includes provisions revoking the Town and Country Planning (Development Planning) (Scotland) Regulations 2008 and various enactments which amended those Regulations subject to certain saving and transitional arrangements contained in regulation 27.