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SCOTTISH STATUTORY INSTRUMENTS

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**2023 No. 101**

**The Town and Country Planning (Development Planning) (Scotland) Regulations 2023**

**PART 2**

**Evidence Reports**

**Interpretation of Part 2**

**2.** In this Part—

“appointed person” means a person appointed by the Scottish Ministers under section 16B(8) of the Act to assess an evidence report,

“authority” means the planning authority preparing the evidence report,

“evidence report” means an evidence report prepared by virtue of section 16B of the Act.

**Notification of appointment of appointed person – assessment of evidence report**

**3.** The Scottish Ministers must as soon as practicable after appointing a person to assess an evidence report under section 16B(8) of the Act notify the authority that such an appointment has been made and of the name of the appointed person.

**Preparation of evidence report**

**4.** For the purposes of section 16B of the Act “Gypsies and Travellers” means persons, whatever their race or origin, who are—

(a) of or from a nomadic cultural tradition including—

(i) members of Gypsy, Romany and Traveller ethnic groups including Roma Gypsies, Scottish Gypsy Travellers and Irish Travellers,

(ii) persons who have ceased to travel temporarily or permanently,

(b) members of an organised group of Travelling Showpeople or circus people (whether or not travelling together as such).

**Procedure in relation to assessment of evidence report**

**5.—(1)** Subject to paragraphs (2) and (3), the procedure to be followed in an assessment of an evidence report under section 16B(8) of the Act is at the discretion of the appointed person.

(2) The authority must, to the extent that they have not already done so, within 14 days of receiving notification under regulation 3 send to, or otherwise (for example by means of the internet) make available to, the appointed person a copy of any document referred to in the evidence report.

(3) Where the appointed person determines that representations should be made or information should be provided by any person in connection with the assessment of the evidence report the

appointed person may by notice request that person to make such representations or to provide such information.

(4) The appointed person may make a request under paragraph (3) at any stage of the assessment of the evidence report.

**Expenses of assessment under section 16B(8) of the Act**

6. The general administrative costs, staff costs (including any remuneration due to the appointed person) and overheads (including the costs of provision of a venue) incurred by the Scottish Ministers or the appointed person in relation to an assessment under section 16B(8) of the Act are to be met by the authority.