

PLANNING ETC. (SCOTLAND) ACT 2006

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 7 – Assessment

Section 30 – Assessment of planning authority’s performance or decision making

Section 251D – Report of assessment

183. Subsections (1) to (3) require the Scottish Ministers or the appointed person to prepare a report, referred to as an assessment report, and issue it to the planning authority. The report may recommend improvements which the planning authority should make.
184. Subsection (4) requires the planning authority to prepare and submit a response report to Scottish Ministers within 3 months of receipt of the assessment report. This report will set out the extent, the manner and the period within which they propose to implement the recommendations. If the planning authority do not intend to implement the recommendations, they must set out their reasons for declining to implement any or all of the recommendations. Subsection (5) requires the person preparing a report to publish it. Subsection (6) allows Ministers to issue a direction specifying actions where the authority decline to implement recommendations or appear not to be timeously carrying out what they propose in their response report. Subsection (8) requires Ministers to publish any such direction or variation of a direction, and subsection (9) specifies that publication of the reports, directions and variations under this section may include the use of electronic means.