

SCHEDULE 2 MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

PART 3

DEVELOPMENT MANAGEMENT

Schemes of delegation and local review

- 7 (1) The Town and Country Planning (Scotland) Act 1997 is amended as follows.
- (2) In section 39 (declining to determine an application), in subsection (2A)—
- (a) in the opening words, for “43A(5)” substitute “43AA(2)”,
 - (b) in paragraph (a), for “43A(8)” substitute “43AC”,
 - (c) in paragraph (c), for “43A(8)(c)” substitute “43AC(1)(e)”.
- (3) In section 43B (matters which may be raised in a review under section 43A(8)), in subsection (1), for “43A(8)” substitute “43AC (other than one required by virtue of paragraph (e) of subsection (1))”.
- (4) The section title of section 43B becomes “**Matters which may be raised in a review under section 43AC**”.
- (5) In section 46 (call-in of applications), in subsection (2)(ab), for “43A(8)” substitute “43AC”.
- (6) In section 237 (validity of development plans and certain orders, decisions and directions), in subsection (3A)—
- (a) the words “(other than a deemed decision)” are repealed,
 - (b) for “43A(8)” substitute “43AC”.
- (7) In section 277 (interpretation), in subsection (5)—
- (a) in paragraph (ba), for “43A(8)(a) or (b)” substitute “43AC(1)(a) to (d)”,
 - (b) in paragraph (ca), for “43A(8)(c)” substitute “43AC(1)(e)”,
 - (c) in paragraph (da)(i), for “43(8)(a) or (b)” substitute “43AC(1)(a) to (d)”,
 - (d) in paragraph (da)(ii)—
 - (i) for “43A(8)(c)” substitute “43AC(1)(e)”,
 - (ii) for “43A(9)” substitute “43AC(3)”.