

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Planning (Scotland) Act 2019, Cross Heading: Schemes of delegation and local review is up to date with all changes known to be in force on or before 16 August 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

SCHEDULE 2 MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

PART 3

DEVELOPMENT MANAGEMENT

PROSPECTIVE

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- (a) the words “(other than a deemed decision)” are repealed,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) ”.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2019/377, reg. 9 by [S.S.I. 2019/411 reg. 2](#)
- specified provision(s) amendment to earlier commencing S.S.I. 2021/101, regs. 3, 4 by [S.S.I. 2021/291 reg. 2](#)