



# Planning (Scotland) Act 2019

## 2019 asp 13

### PART 1

#### DEVELOPMENT PLANNING

##### *Local place plans*

#### 14 Local place plans

- (1) The Town and Country Planning (Scotland) Act 1997 is amended as follows.
- (2) After section 15 insert—

##### **“15A Preparation of local development plan: invitation to prepare local place plans**

Before preparing a local development plan, a planning authority are to publish, in such manner as they consider appropriate—

- (a) an invitation to local communities in their district to prepare local place plans in accordance with schedule 19,
- (b) information on—
  - (i) the manner in which and date by which such local place plans are to be prepared in order to be taken into account in the preparation of the local development plan,
  - (ii) the assistance available for local communities to prepare local place plans.”.

- (3) After section 15A insert—

##### **“15B Review of local place plans**

- (1) The Scottish Ministers must, as soon as practicable after the end of the 7 year period—
  - (a) carry out a review of local place plans,
  - (b) set out the conclusions of the review in a report,

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*Status: This is the original version (as it was originally enacted).*

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- (c) publish the report, and
  - (d) lay it before the Scottish Parliament.
- (2) The report must, in particular, set out—
  - (a) the number of local place plans that have been submitted and the name of the community body that submitted the local place plan,
  - (b) the number of local place plans registered,
  - (c) a summary of the participation of people who engaged in preparing and submitting local place plans, either through a community body or through consultation,
  - (d) the support given to community bodies to prepare and submit a local place plan,
  - (e) an assessment of how the registered local place plans have influenced planning authorities’—
    - (i) preparation of local development plans for their district,
    - (ii) determination of applications for planning permission,
  - (f) an assessment of—
    - (i) the impact and effectiveness of local place plans across Scotland,
    - (ii) whether further support to community bodies should be provided to prepare and submit local place plans.
- (3) The Scottish Ministers may, by notice, require a planning authority to provide it with such information as is specified or described in the notice and which they require for the purpose of subsection (1).
- (4) In subsection (1), “the 7 year period” means the period of 7 years beginning with the day on which the Bill for the Planning (Scotland) Act 2019 receives Royal Assent.”.
- (4) In section 16 (preparation and monitoring of local development plans), in subsection (2)(a), after sub-paragraph (ii), insert—
  - “(iii) any registered local place plan (see schedule 19) that is for the part of their district to which the local development plan relates,”.
- (5) If there is no sub-paragraph (ii) of section 16(2)(a) of the Town and Country Planning (Scotland) Act 1997 on the day that subsection (4) comes into force, subsection (4) applies as though for the words “sub-paragraph (ii)” there were substituted “sub-paragraph (i)”.
- (6) In section 20AA (amendment of local development plan), after subsection (4)(a)(ii), insert—
  - “(iii) any registered local place plan (see schedule 19) that is for the part of their district to which the local development plan relates,”.
- (7) After schedule 18 insert—

“SCHEDULE 19  
(introduced by section 15A)

LOCAL PLACE PLANS

**Preparation of local place plans**

- 1
- (1) A community body may prepare a local place plan.
  - (2) A local place plan is a proposal as to the development or use of land.
  - (3) It may also identify land and buildings that the community body considers to be of particular significance to the local area.
  - (4) In preparing a local place plan, a community body must—
    - (a) have regard to—
      - (i) the local development plan for the land, or any part of the land, to which the local place plan relates,
      - (ii) the National Planning Framework,
      - (iii) such other matters (if any) as are prescribed,
    - (b) set out reasons for considering that the local development plan should be amended, and
    - (c) comply with any prescribed requirements as to—
      - (i) the form and content of the plan, and
      - (ii) steps which must be taken before preparing the plan.

**Submission of local place plans**

- 2
- (1) A community body must comply with any prescribed requirements as to—
    - (a) steps which must be taken before submitting a local place plan,
    - (b) how the views of councillors for the area to which the local place plan relates are to be taken into account in the preparation of the local place plan, and
    - (c) information which must be submitted alongside a local place plan.
  - (2) Having complied with any requirements under sub-paragraph (1), a community body may submit a local place plan to the planning authority for the district to which the plan relates.

**Register of local place plans**

- 3
- (1) Every planning authority must keep a register of local place plans.
  - (2) When a valid local place plan relating to their district is submitted to them by a community body, a planning authority must—
    - (a) include it in their register, and
    - (b) inform the community body that submitted the plan that it has been registered.

- (3) If a planning authority decide not to register a local place plan on the basis that it is not valid, the authority must give their reasons for reaching that view to the community body that submitted the plan.
- (4) A local place plan is valid, for the purpose of this paragraph, if the requirements under paragraphs 1(4) and 2(1) have been complied with in relation to it.
- (5) The Scottish Ministers may by regulations make provision about—
  - (a) the manner in which a register must be—
    - (i) kept, and
    - (ii) made available to the public,
  - (b) the information about a local place plan that must be included in a register,
  - (c) when a planning authority may, or must, remove a local place plan from their register, causing it to cease to be a registered local place plan.

#### **Map of local place plans**

- 4 Every planning authority must make publicly available, in the manner prescribed, a map of their district that shows the land to which the local place plans in their register of local place plans relate.

#### **Meaning of “community body”**

- 5 In this schedule, “community body” means—
  - (a) a community-controlled body within the definition given in section 19 of the Community Empowerment (Scotland) Act 2015, or
  - (b) a community council established in accordance with Part 4 of the Local Government (Scotland) Act 1973.”.