
SCOTTISH STATUTORY INSTRUMENTS

2008 No. 433

The Town and Country Planning (Schemes of Delegation and Local Review Procedure) (Scotland) Regulations 2008

PART 2

Schemes of Delegation

Content of scheme of delegation

3.—(1) A scheme of delegation must describe the classes of development to which the scheme will apply and state with respect to every such class which of the applications mentioned in paragraph (2) are to be determined by an appointed officer and if such application is only to be so determined in particular circumstances the scheme is to specify such circumstances.

(2) The applications are—

- (a) an application for planning permission; and
- (b) an application for consent, agreement or approval required by a condition imposed on a grant of planning permission.

(3) A scheme of delegation must include provision that prohibits an appointed officer from determining an application for planning permission in the circumstances mentioned in paragraph (4).

(4) The circumstances are that—

- (a) the application is made by—
 - (i) the planning authority; or
 - (ii) a member of the planning authority; or
- (b) the application relates to land in the ownership of the planning authority or to land in which the planning authority have a financial interest.

Procedure for preparation and adoption of scheme of delegation

4. Where a planning authority propose to adopt a scheme of delegation, the authority are to send a copy of the scheme to the Scottish Ministers and the planning authority are not to adopt the scheme until the scheme has been approved by the Scottish Ministers.

Publication of the scheme

5. The planning authority are to—

- (a) make a copy of the adopted scheme of delegation available for inspection at an office of the planning authority and in every public library in the area of the planning authority; and
- (b) publish the adopted scheme of delegation on the internet.

Status: This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

Subsequent schemes of delegation

6. The planning authority must prepare a scheme of delegation at intervals of no greater than every five years.