

## **EXECUTIVE NOTE**

### **THE TOWN AND COUNTRY PLANNING (CONTINUATION IN FORCE OF LOCAL PLANS) (HIGHLAND) (SCOTLAND) ORDER 2012**

#### **SSI 2012/90**

1. The above instrument was made in exercise of the powers conferred by Paragraph 7 of Schedule 1 to The Town and Country Planning (Scotland) Act 1997 (“the 1997 Act”). The Order must be laid in Parliament but is not subject to any further Parliamentary procedure.
2. The instrument sets out the extent to which provisions of the existing eight local plans in Highland shall be continued in force following the adoption of the Highland-wide Local Development Plan.

#### **Policy Objectives**

3. In terms of paragraph 6 of Schedule 1 to the 1997 Act the provisions of old development plans, which would include the eight local plans referred to in the Order, cease to have effect in relation to an area to which an adopted local development plan relates. These eight local plans relate to different areas all of which are covered (wholly or partly) by the Highland-wide Local Development Plan. The purpose of the instrument is to ensure that certain provisions of the existing local plans in Highland remain in force after the adoption of the Highland-wide Local Development Plan. The intention is that these provisions will continue in force until Area Local Development Plans in area of The Highland Council are adopted.
4. The retained elements of the eight adopted local plans, together with the Highland-wide Local Development Plan, will comprise the development plan for the area to which the Highland-wide Local Development Plan relates.
5. By retaining certain provisions of the Local Plans, the Order will ensure that the local planning detail across Highland is retained.

#### **Consultation**

6. This statutory instrument has not been subject to formal consultation, but we have discussed the Order in detail with the Highland Council. We will use the Directorate for the Built Environment’s e-alert system to inform stakeholders of the Order.

#### **Business and Regulatory Impact Assessment and other impacts**

7. Due to the technical nature of the Order we have not prepared a formal Business and Regulatory Impact Assessment. We do not consider that this Order imposes any additional regulatory burden or has any other adverse effect on business. Nor have we identified any impacts on equality groups arising from this instrument. In terms of environmental impacts, Strategic Environmental Assessment and Habitats Regulation Appraisal have been undertaken by the Planning Authority within the ‘Retention of the Adopted Local Plans’ screening procedures. The Consultation Authorities have confirmed that they are content that there will be no likely additional environmental effects with the introduction of the Order.

**Financial Implications**

8. No significant financial implications have been identified.

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9 March 2012