

# **PLANNING ETC. (SCOTLAND) ACT 2006**

---

## **EXPLANATORY NOTES**

### **THE ACT – SECTION BY SECTION**

#### **Part 3 – Development Management**

##### ***Section 13 – Keeping and publication of lists of applications***

88. This section inserts a **new section 36A** into the 1997 Act. Subsection (1) places a duty on every planning authority to keep a list of applications and proposal of application notices for pre-application consultations. It also requires them to include on the list planning applications made directly to the Scottish Ministers under the “urgent development” procedures introduced on the removal of Crown immunity from planning control.
89. The duty is extended in subsection (2) to require the planning authority to revise/update the list weekly. The Scottish Ministers may substitute a different period by means of regulations. The subsection also gives the Scottish Ministers the power to make regulations or a development order to set out how the list should be published.
90. Subsections (3) and (5) require the planning authority to advertise the availability of the list in a local newspaper and gives the Scottish Ministers power to prescribe the frequency with which the list is to be published. Provision is also made for publishing by electronic means.
91. Subsection (4) allows the planning authority, as set out in regulations or a development order, to recover any costs incurred as a result of preparing, publishing and advertising the availability of the list of applications.
92. Subsection (6) defines when a proposal for application notice ceases to be current and can therefore be removed from the list, as set out in the new subsection (2)(a)(ii).