

*These notes relate to the Planning (Scotland) Act 2019
(asp 13) which received Royal Assent on 25 July 2019*

PLANNING (SCOTLAND) ACT 2019

EXPLANATORY NOTES

OVERVIEW OF THE ACT

PART 4 – OTHER MATTERS

Ministerial directions

Section 49: Publication of directions

247. Section 49 inserts a new section 275B into the 1997 Act, requiring the Scottish Ministers to publish any directions made under that Act and their reasons for making them. There are exceptions for: directions given in the form of a regulation or order, which will be published automatically as statutory instruments; directions given before this provision comes into force, and directions given under section 265A of the 1997 Act.
248. Section 265A relates to planning inquiries. It allows the Scottish Ministers or the Secretary of State to direct that evidence to an inquiry may only be heard or inspected by specified persons, if it relates to national security or the security arrangements for any premises or property, and disclosing it in a public inquiry would be contrary to the national interest. It follows that the direction describing such evidence should not be required to be published.