

Status: This version of this cross heading contains provisions that are prospective.

Changes to legislation: Planning (Scotland) Act 2019, Cross Heading: Use of planning and development powers is up to date with all changes known to be in force on or before 03 October 2023. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

PROSPECTIVE

SCHEDULE 1 INFRASTRUCTURE-LEVY REGULATIONS

Use of planning and development powers

- 15 (1) Infrastructure-levy regulations may make provision about how any of the following powers may or may not be exercised—
- (a) section 75 of the Town and Country Planning (Scotland) Act 1997 (planning obligations),
 - (b) section 53 of the Roads (Scotland) Act 1984 (agreements as to use of land near roads),
 - (c) any other power relating to planning or development.
- (2) But provision of the kind mentioned in sub-paragraph (1) may be made only if the Scottish Ministers consider it necessary or expedient for the purpose of—
- (a) enhancing the effectiveness of infrastructure levy as a means of raising revenue to fund, or contribute towards funding, infrastructure projects, or
 - (b) preventing or restricting the use of powers, other than the power to charge infrastructure levy, in circumstances in which the Ministers think using the power to charge infrastructure levy would be more appropriate.

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Changes and effects yet to be applied to :

- specified provision(s) amendment to earlier commencing S.S.I. 2019/377, reg. 9 by [S.S.I. 2019/411 reg. 2](#)
- specified provision(s) amendment to earlier commencing S.S.I. 2021/101, regs. 3, 4 by [S.S.I. 2021/291 reg. 2](#)