
Changes to legislation: Planning (Scotland) Act 2019, Paragraph 1 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

SCHEDULE 2 MINOR AND CONSEQUENTIAL AMENDMENTS AND REPEALS

PART 1

DEVELOPMENT PLANNING

Removal of requirement to prepare strategic development plans

- 1 (1) The Town and Country Planning (Scotland) Act 1997 is amended as follows.
- (2) Section 16(6) (local development plan consistency with strategic development plan) is repealed.
- (3) In section 20B (development plan schemes)—
 - (a) in subsection (1), the words “by each strategic development authority and” are repealed,
 - (b) in subsection (2), in the opening words, for “The authority in question is” substitute “ An authority are ”,
 - (c) in subsection (3), the words “their strategic development plan or as the case may be” are repealed,
 - (d) in subsection (5)(c), for “strategic development plan area or the area of the planning authority, as the case may be” substitute “ area of the authority ”.
- (4) In section 21 (action programmes)—
 - (a) subsection (1) is repealed,
 - (b) in subsection (3), for “the authority in question” substitute “ an authority ”,
 - (c) paragraph (a) of subsection (4) and the “or” immediately following it are repealed,
 - (d) in subsection (5), for “the authority in question” substitute “ an authority ”,
 - (e) in subsection (6), for “the authority in question” substitute “ an authority ”,
 - (f) sub-paragraph (i) of subsection (10)(b) and the “and” immediately following it are repealed,
 - (g) in subsection (10)(b)(ii), the words “in the case of a planning authority,” are repealed.
- (5) In section 23 (disregarding of representations with respect to development authorised by or under other enactments), paragraph (a) of subsection (1) and the “and” immediately following it are repealed.
- (6) In section 23A(2) (directions in relation to functions under Part)—
 - (a) the words “or strategic development planning authority” are repealed,
 - (b) the words “or strategic development planning authorities” are repealed.
- (7) In section 23B (default powers of the Scottish Ministers)—
 - (a) in subsection (1)(a)—
 - (i) the words “strategic development plan or” where they first occur are repealed,
 - (ii) the words “proposed strategic development plan or” are repealed,
 - (b) in subsection (2)(b), the words “strategic development plan or” are repealed,
 - (c) subsection (3) is repealed,

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- (d) subsection (4)(b) and the word “or” immediately preceding it are repealed,
 - (e) subsection (5)(b) and the word “and” immediately preceding it are repealed.
- (8) In section 23C (reviews of plans in enterprise zones), paragraph (a) and the word “and” immediately following it are repealed.
- (9) In section 237 (validity of development plans etc.), in subsection (1)(a), the words “strategic development plan or” are repealed.
- (10) In section 238 (proceedings for questioning validity of development plans etc.)—
- (a) in subsection (1), the words “strategic development plan or” are repealed,
 - (b) subsection (5)(a) is repealed.
- (11) In section 255(2)(a) (contributions by local authorities and statutory undertakers), the words “a strategic development plan or” are repealed.
- (12) In section 269(1)(a) (rights of entry), the words “strategic development plan or” are repealed.
- (13) In section 277(1) (interpretation), the entries in the list for “strategic development plan”, “strategic development plan area” and “strategic development planning authority” are repealed.
- (14) In schedule 14 (blighted land)—
- (a) paragraph 1 is repealed,
 - (b) in paragraph 2—
 - (i) in sub-paragraph (1)(a), for the words “paragraph 1(1)(a)(i) or (ii)” substitute “sub-paragraph (1A)”,
 - (ii) after sub-paragraph (1) insert—
 - “(1A) The functions are—
 - (a) the functions of a government department, local authority or statutory undertaker,
 - (b) the provision by an electronic communications operator of an electronic communications code network, or
 - (c) the provision by a former PTO of a public electronic communications network or a public electronic communications service.”.

Commencement Information

II Sch. 2 para. 1 in force at 12.2.2023 by S.S.I. 2023/10, reg. 3(2)(e)

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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](#)