EXPLANATORY NOTES

PLANNING ETC. (SCOTLAND) ACT 2006

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BACKGROUND

COMMENTARY ON SECTIONS

The main provisions of the Act

THE ACT - SECTION BY SECTION

PART 1 – NATIONAL PLANNING FRAMEWORK

Section 1 – National Planning Framework

PART 2 – DEVELOPMENT PLANS

Section 2 – Development plans

Sustainable development

Strategic development planning

Local development plans

Development plan schemes and action programmes

Supplementary guidance

Supplementary provisions

General

PART 3 – DEVELOPMENT MANAGEMENT

Section 3 – Meaning of "development"

Section 4 Marine fish farms

Section 5 – Hierarchy of developments for purposes of development management etc.

Section 6 – Initiation and completion of development

Section 7 – Applications for planning permission and certain consents

These notes relate to the Planning etc. (Scotland) Act 2006 (asp 17)

- Section 8 Variation of planning applications
- Section 9 Development already carried out
- Section 10 Publicity for applications
- Section 11 Pre-application consultation
- Section 12 Public availability of information as to how planning applications have been dealt with
- Section 13 Keeping and publication of lists of applications
- Section 14 Pre-determination hearings
- Section 15 Additional grounds for declining to determine application for planning permission
- Section 16 Manner in which applications for planning permission are dealt with etc.
- Section 17 Local developments: schemes of delegation
- Section 18 Call-in of applications by the Scottish Ministers
- Section 19 Appeals etc.
- Section 20 Duration of planning permission and listed building consent etc.
- Section 21 Planning permission in principle
- Section 22 Further provisions as regards duration of planning permission etc.
- Section 23 Planning obligations
- Section 24 Good neighbour agreements

PART 4 – ENFORCEMENT

- Section 25 Fixed penalty notices
- Section 26 Temporary stop notices
- Section 27 Enforcement charters

PART 5 – TREES

Section 28 – Tree preservation orders

PART 6 - CORRECTION OF ERRORS

Section 29 – Correction of errors

Section 241A: Correction of errors in decisions

Section 241B: Correction notice

Section 241C: Effect of correction

Section 241D: Provisions supplementary to section 241A to 241C

PART 7 - ASSESSMENT

Section 30 – Assessment of planning authority's performance or decision making

Section 251A – Assessment of planning authority's performance

Section 251B – Assessment of planning authority's decision making

Section 251C – Further provision as respects assessment of performance or decision making

Section 251D - Report of assessment

PART 8 – FINANCIAL PROVISIONS

Section 31 – Fees and charges

Section 32 – Grants for advice and assistance

PART 9 – BUSINESS IMPROVEMENT DISTRICTS

Section 33 – Arrangements with respect to business improvement districts

Section 34 – Joint arrangements

Section 35 – Additional contributions and action

Section 36 – Duty to comply with arrangements

Section 37 – BID Revenue Account

Section 38 – BID proposals

Section 39 - Entitlement to vote in ballot

Section 40 – Approval in ballot

Section 41 – Approval in ballot – alternative conditions

Section 42- Power of veto

Section 43 – Appeal against veto

Section 44 – Commencement of BID arrangements

Section 45 – Duration of BID arrangements etc.

Section 46 – Regulations about ballots

Section 47 – Further provisions as to regulations under Part 9

- Section 48 Crown application of Part 9
- Section 49 Interpretation of Part 9

PART 10 - MISCELLANEOUS AND GENERAL PROVISIONS

- Section 50 National Scenic Areas
- Section 51 Equal Opportunities
- Section 52 Regulations in connection with inquiries etc.
- Section 53 Old development plans
- Section 54 Further amendment of the principal Act
- Section 55 Further amendment of the listed buildings Act
- Section 56 Repeals
- Section 57 Interpretation
- Section 58 Supplementary and consequential provisions
- Section 59 Commencement
- Section 60 Short title

PARLIAMENTARY HISTORY