



Planning (Scotland) Act 2019

2019 asp 13

PART 3

DEVELOPMENT MANAGEMENT

Duration of planning permission

33 Completion notices

- (1) The Town and Country Planning (Scotland) Act 1997 is amended as follows.
- (2) In section 61 (termination of planning permission by reference to time limit: completion notices), after subsection (3) insert—
 - “(3A) A completion notice must also—
 - (a) state that a person on whom it is served may lodge an objection,
 - (b) specify the date on which the notice will take effect if no objection is lodged before that date.
 - (3B) The date so specified must be a date at least 28 days after the date on which the notice is served.”
- (3) In section 62 (effect of completion notice)—
 - (a) in subsection (1), for the words from “shall” to the end substitute “takes effect—
 - (a) on the date specified in it, unless before that date an objection is lodged under section 62A(1),
 - (b) where an objection is lodged under section 62A(1), only if and when the notice is confirmed by the Scottish Ministers.”,
 - (b) subsections (2) and (3) are repealed,
 - (c) in subsection (4)—
 - (i) for “Secretary of State” substitute “Scottish Ministers”,
 - (ii) for “subsection (2)” substitute “section 62A(5)”.
- (4) After section 62, insert—

“62A Objection to completion notice

- (1) A person on whom a completion notice is served may, prior to the date specified in it, lodge an objection to the notice with the planning authority which served it.
- (2) Where an objection is lodged under subsection (1), the planning authority must give notice of the objection to—
 - (a) every person who was served with the completion notice, and
 - (b) the Scottish Ministers.
- (3) Before confirming a completion notice, the Scottish Ministers must allow the following people the opportunity to make representations to a person appointed for the purpose by the Scottish Ministers—
 - (a) the person who lodged the objection, and
 - (b) the planning authority.
- (4) The Scottish Ministers must give notice of their decision as to whether or not to confirm the completion notice to—
 - (a) every person who was served with the completion notice, and
 - (b) the planning authority.
- (5) In confirming a completion notice, the Scottish Ministers may substitute a longer period for that specified in the notice as the period at the expiration of which the planning permission is to cease to have effect.”.
- (5) In section 182 (regulations controlling display of advertisements), in subsection (3) (a), for “62” substitute “62A”.
- (6) In section 237 (validity of certain decisions), in subsection (3)(c), for “62” substitute “62A”.