

## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the provisions of the Town and Country Planning (Scotland) Act 1997 (“the Act”). The changes are minor supplementary and consequential provisions following from the amendments made to the Act by the Planning etc. (Scotland) Act 2006 (“the 2006 Act”).

Article 2(2) amends section 39(2) of the Act so that the provisions apply in relation to local reviews under section 43A of the Act as they do in relation to appeals made under section 47 of the Act. Article 2(3)(a), (4) and (5) also make amendment to ensure that the Act operates in relation to applications to be determined under schemes of delegation or on review by virtue of section 43A of the Act as it does in relation to other applications or appeals. The amendment made by article 2(3)(b) places the right to require a review under section 43A(8)(c) on the same footing as the right to appeal under section 47(2). Article 2(6) removes section 218(1)(c) of the Act as this is no longer applicable following the repeal of section 133(7) by the 2006 Act.