

2019 No. 385 (C. 20)

TOWN AND COUNTRY PLANNING

**The Planning (Scotland) Act 2019 (Commencement No. 3)
Regulations 2019**

<i>Made</i>	- - - -	<i>13th November 2019</i>
<i>Laid before the Scottish Parliament</i>		<i>15th November 2019</i>
<i>Coming into force</i>	- -	<i>1st December 2019</i>

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 63(2) and (3) of the Planning (Scotland) Act 2019(a).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Planning (Scotland) Act 2019 (Commencement No. 3) Regulations 2019 and come into force on 1 December 2019.

(2) In these Regulations—

“the Act” means the Planning (Scotland) Act 2019, and

“the 1997 Act” means the Town and Country Planning (Scotland) Act 1997(b).

Appointed day – 1 December 2019

2.—(1) Subject to paragraph (2), the day appointed for the coming into force of the provisions of the Act specified in column 1 of the table in the schedule (the subject matter of which is described in column 2 of that table) is 1 December 2019.

(2) Where a purpose is specified in column 3 of that table in relation to any provision specified in column 1, that provision comes into force on 1 December 2019 only for that purpose.

Appointed day – 1 March 2020

3.—(1) The day appointed for the coming into force of the provisions of the Act specified in paragraph (2) is 1 March 2020.

(2) The provisions are—

(a) section 27 (delegation of development decisions), and

(a) 2019 asp 13.

(b) 1997 c.8.

(b) section 30 (determination of applications: statement to accompany notification).

St Andrew's House,
Edinburgh
13th November 2019

KEVIN STEWART
Authorised to sign by the Scottish Ministers

SCHEDULE

Regulation 2

PROVISIONS OF THE ACT COMING INTO FORCE ON 1 DECEMBER 2019

<i>Column 1</i> <i>Provisions of the Act</i>	<i>Column 2</i> <i>Subject Matter</i>	<i>Column 3</i> <i>Purpose</i>
Section 18(1), (2) and (4)	Pre-application consultation	
Section 20	Regulations about procedure for certain applications	
Section 24	Assessment of environmental effects	
Section 26	Conditional grant of planning permission: provision of toilet facilities within certain large developments	For the purpose of making regulations under section 41B(4) of the 1997 Act (a)
Section 29	Call-in of applications by Scottish Ministers: further provision	
Section 41	Fees for planning applications etc.	
Section 47	National performance monitoring	
Section 48	Regulations	
Section 49	Publication of directions	
Section 51	National Scenic Areas	
Section 52	Notice by planning authority of applications for listed building consent	
Section 53	Forestry and woodland strategy	
Section 62 and paragraph 9 of schedule 2	Minor and consequential amendments and repeals	For the purpose of making regulations under sections 41B(4) and 251B(2) of the 1997 Act (b)

(a) Section 41B is inserted into the 1997 Act by section 26(2) of the Planning (Scotland) Act 2019 (asp 13) (“the Act”).

(b) Section 251B is inserted into the 1997 Act by section 47(2) of the Act.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring sections 18(1), (2) and (4), 20, 24, 29, 41, 47, 48, 49, 51, 52 and 53 of the Planning (Scotland) Act 2019 (“the Act”) into force on 1 December 2019 for all purposes and sections 26 and 62 and paragraph 9 of schedule 2 of the Act into force on that date for the limited purposes of enabling regulations to be made. They also bring sections 27 and 30 into force on 1 March 2020.

The Bill for the Act received Royal Assent on 25 July 2019. Sections 58 to 61, 63 and 64 came into force on the following day.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Planning (Scotland) Act 2019 have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.I. No.</i>
Sections 1, 2 and 10	8 November 2019	S.S.I. 2019/314
Sections 3, 5, 7, 11, 14 and 62 and paragraph 9 of schedule 2 (for limited purposes)	8 November 2019	S.S.I. 2019/314
Sections 25 and 42	20 December 2019	S.S.I. 2019/377
Sections 23	1 March 2020	S.S.I. 2019/377

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