



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

[^{F1} PART 2

DEVELOPMENT PLANS

Local development plans

[^{F1}18 Preparation and publication of proposed local development plan

- (1) After [^{F2}being notified under section 16B(9)], the planning authority are—
- [^{F3}(a) having regard to the evidence report in relation to which notification under that section was received, to prepare and publish in such manner as is prescribed a proposed local development plan,
 - (aa) to publish the evidence report at the same time and in the same manner as the proposed local development plan,]
 - (b) to send a copy of that proposed plan [^{F4}and the evidence report] to each key agency,
 - [^{F5}(c)
 - (d) to consult, with regard to the proposed plan, the key agencies and such persons as may be prescribed, and
 - (e) in such circumstances as may be prescribed, to give notice—
 - (i) in such form,
 - (ii) of such matter, and
 - (iii) to such persons,as may be specified in the regulations in question.

[^{F6}(1A) Without prejudice to the generality of subsection (1)(d), a planning authority for a district all or part of which falls within the boundary identified by the Central Scotland Green Network Partnership are (for so long as such a body is included in the

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National Planning Framework as a national development) to consult the Network on the proposed local development plan.

(1B) Before publishing a proposed local development plan under subsection (1), the planning authority must approve the plan.

(1C) Section 56 of the Local Government (Scotland) Act 1973 (arrangements for discharge of functions by local authorities) does not apply to the function of approving a proposed local development plan.]

(2) Publication under subsection (1)(a) is to include specification of a date (being a date not less than [^{F7}12] weeks after the date of publication) by which any representations with respect to the proposed local development plan must be made to the authority.

(3) After the date specified by virtue of subsection (2), the planning authority may modify the proposed local development plan so as to take account of—

- (a) any representations timeously made to them as respects that proposed plan (or of any matters arising out of representations so made),
- (b) any matters arising in consultation under subsection (1)(d), and
- (c) any minor drafting or technical matters.

(4) ^{F8}... The authority—

- (a) are to submit the proposed local development plan to the Scottish Ministers together with—
 - (i) a report as to the extent to which the authority's actings with regard to consultation and the involvement of the public at large have conformed with (or have gone beyond the requirements of) the authority's current participation statement, ^{F9}...
 - (ii) a copy of their proposed [^{F10}delivery] programme for the plan, [^{F11}and
 - (iii) if modifications have been made to the proposed plan under subsection (3), a report setting out—
 - (A) the modifications made, and
 - (B) the reasons for making them.]

^{F12}(b)
^{F12}(c)

^{F13}(5)

^{F13}(6)

^{F13}(7)

^{F13}(8)

^{F13}(9)

(10) It is the duty of a key agency to co-operate with the planning authority in the preparation of the authority's proposed local development plan.]

Textual Amendments

F1 Pt. 2 substituted (19.5.2008 for specified purposes, 25.6.2008 for specified purposes, 28.2.2009 in so far as not already in force) by **Planning etc. (Scotland) Act 2006 (asp 17), ss. 2, 59(2)** (with savings

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- and transitional provisions in S.S.I. 2008/165, arts. 1, 2 and S.S.I. 2008/427, arts. 1(1), 2-5; S.S.I. 2008/164, art. 2(1)(2), **sch.**; S.S.I. 2009/70, art. 2, **sch.**
- F2** Words in s. 18(1) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 7(8)(a)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(a) (with reg. 4)
- F3** S. 18(1)(a)(aa) substituted for s. 18(1)(a) (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 7(8)(b)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(a) (with reg. 4)
- F4** Words in s. 18(1)(b) inserted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 7(8)(c)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(a) (with reg. 4)
- F5** S. 18(1)(c) repealed (19.5.2023) by Planning (Scotland) Act 2019 (asp 13), s. 63(2), **sch. 2 para. 2(2)**; S.S.I. 2023/100, reg. 2(2)(f) (with reg. 4)
- F6** S. 18(1A)-(1C) inserted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 7(8)(d)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(a) (with reg. 4)
- F7** Word in s. 18(2) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 7(8)(e)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(a) (with reg. 4)
- F8** Words in s. 18(4) repealed (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 7(8)(f)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(a) (with reg. 4)
- F9** Word in s. 18(4)(a) repealed (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 7(8)(g)(i)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(a) (with reg. 4)
- F10** Word in s. 18(4)(a)(ii) substituted (19.5.2023) by Planning (Scotland) Act 2019 (asp 13), s. 63(2), **sch. 2 para. 3(2)**; S.S.I. 2023/100, reg. 2(2)(g) (with reg. 4)
- F11** S. 18(4)(a)(iii) and word inserted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 7(8)(g)(ii)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(a) (with reg. 4)
- F12** S. 18(4)(b)(c) repealed (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 7(8)(h)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(a) (with reg. 4)
- F13** S. 18(5)-(9) repealed (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 7(8)(i)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(a) (with reg. 4)

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Changes and effects yet to be applied to the whole Act associated Parts and Chapters:

- Act applied by [S.S.I. 2008/189 art. 53\(3\)](#)
- Act power to apply (with or without modifications) conferred by [2021 asp 9 s. 45\(3\)\(b\)\(c\)](#)

Whole provisions yet to be inserted into this Act (including any effects on those provisions):

- Pt. 11A inserted by [2006 asp 17 s. 29](#)
- Pt. 12A inserted by [2006 asp 17 s. 30](#)
- Pt. 12A inserted by [2019 asp 13 s. 46\(2\)](#)
- s. 3CD inserted by [2019 asp 13 s. 4\(2\)](#)
- s. 20AA(4)(a)(iii) inserted by [2019 asp 13 s. 14\(6\)](#)
- s. 29(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(3\)\(b\)](#)
- s. 36(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(4\)\(b\)](#)
- s. 36(5)(6) inserted by [2019 asp 13 s. 36\(2\)](#)
- s. 40A inserted by [2019 asp 13 s. 19\(2\)](#)
- s. 43A-43AD substituted for s. 43A by [2019 asp 13 s. 28\(2\)](#)
- s. 47(2)(aa) inserted by [2019 asp 13 s. 28\(3\)\(a\)](#)
- s. 47(2A) inserted by [2019 asp 13 s. 28\(3\)\(b\)](#)
- s. 47(6) inserted by [2019 asp 13 s. 31\(2\)\(c\)](#)
- s. 54A-54F and cross-heading inserted by [2019 asp 13 s. 15\(2\)](#)
- s. 57(2C)(2D) inserted by [2021 asp 9 s. 44\(2\)](#)
- s. 58(4)(fa) inserted by [2019 asp 13 Sch. 2 para. 5\(5\)\(b\)](#)
- s. 61(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(6\)\(b\)](#)
- s. 75(4A) inserted by [2019 asp 13 s. 35\(2\)](#)
- s. 75A(5A) inserted by [2019 asp 13 s. 35\(3\)](#)
- s. 77A inserted by [2019 asp 13 s. 39\(2\)](#)
- s. 135(4A) inserted by [2019 asp 13 s. 43\(2\)\(c\)](#)
- s. 154(1)(c) and word inserted by [2019 asp 13 s. 28\(4\)\(a\)\(ii\)](#)
- s. 154(1A) inserted by [2019 asp 13 s. 28\(4\)\(b\)](#)
- s. 158A(1A) inserted by [2019 asp 13 s. 44\(2\)](#)
- s. 158B-158F and cross-heading inserted by [2019 asp 13 s. 43\(3\)](#)
- s. 183(1)(c) inserted by [2019 asp 13 Sch. 2 para. 5\(7\)\(b\)](#)
- s. 237(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(8\)](#)
- s. 238(3)(a)-(c) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(a\)\(ii\)](#)
- s. 238(5)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(b\)](#)
- s. 238(7) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(c\)](#)