

SCHEDULES

SCHEDULE 3

GENERAL EXCLUSIONS

Planning obligations

- 1 (1) The Chapter I prohibition does not apply to an agreement—
- (a) to the extent to which it is a planning obligation;
 - (b) which is made under section 75 (agreements regulating development or use of land) or 246 (agreements relating to Crown land) of the Town and Country Planning (Scotland) Act 1997; or
 - (c) which is made under Article 40 of the Planning (Northern Ireland) Order 1991.
- (2) In sub-paragraph (1)(a), “planning obligation” means—
- (a) a planning obligation for the purposes of section 106 of the Town and Country Planning Act 1990; or
 - (b) a planning obligation for the purposes of section 299A of that Act.