POLICY NOTE

THE PLANNING (SCOTLAND) ACT 2019 (COMMENCEMENT NO. 14) REGULATIONS 2024

SSI 2024/252 (C. 21)

The above instrument was made in exercise of the powers conferred by section 63(2) of the Planning (Scotland) Act 2019. The instrument is laid but is subject to no procedure.

The instrument brings into effect various provisions in the Planning (Scotland) Act 2019, to support planning reform. In particular it commences in full sections relating to amendment of National Planning Framework and local development plans and masterplan consent areas.

Policy Objectives

The purpose of this instrument is to commence in full various provisions in the Planning (Scotland) Act 2019 ("the Act") which amend the provisions of the Town and Country Planning (Scotland) Act 1997 ("the 1997 Act") relating to amendment of National Planning Framework and local development plans and masterplan consent areas.

The regulations bring the following sections of the Act fully into force on 28 November 2024:

- section 12 of the 2019 Act (amendment of National Planning Framework and local development plans).

- section 15 of the 2019 Act (masterplan consent area schemes)
    - Section 15 of the Act amends the 1997 Act to insert new sections 54A-F and schedule 5A, which relate to masterplan consent areas (MCAs). These provisions will be brought fully into force, so far as not already in force.

- paragraph 5 (masterplan consent areas) of schedule 2 of the 1997 Act (as inserted by section 15(3) of the Act). This is for the purpose of making minor and consequential changes in relation to the introduction of MCA schemes.

- section 62 of the 2019 Act (minor and consequential amendments and repeals) - commenced only for the purposes of bringing paragraph 5 of Schedule 2 of the Act into force.

EU Alignment Consideration

This instrument is not relevant to the Scottish Government's policy to maintain alignment with the EU.

Consultation

As these regulations only fully bring into force provisions of the Act, no consultation has been carried out in relation to this instrument.

Impact Assessments

As these regulations only bring into force provisions of the 2019 Act, no impact assessments have been carried out in relation to this instrument.

Financial Effects

The Minister for Public Finance confirms that no BRIA is necessary as the instrument only brings into force the provisions of the Act and in itself has no financial effects on the Scottish Government, local government or on business.

Scottish Government
Directorate for Local Government and Housing
September 2024