

*These notes relate to the Planning etc. (Scotland) Act 2006
(asp 17) which received Royal Assent on 20 December 2006*

PLANNING ETC. (SCOTLAND) ACT 2006

EXPLANATORY NOTES

THE ACT – SECTION BY SECTION

Part 9 – Business Improvement Districts

Section 42– Power of veto

205. This section requires the local authority to notify the BID proposers whether or not they will use their veto, and to provide reasons for that decision, including where the veto has not been applied. Subsection (4) describes those circumstances in which a veto may be exercised by the local authority, such as conflict with a strategic development plan of a local authority, and subsection (5) explains that Ministers may add to or remove those circumstances by regulations. Where the veto is applied, the ballot will not take place. Local authorities are also required to inform the person drawing up the BID proposals that they have a right of appeal against the veto to the Scottish Ministers. They must also notify them of the details of that right of appeal. A copy of this notification must be sent to the Scottish Ministers.