



# Planning etc. (Scotland) Act 2006

## 2006 asp 17

### PART 1

#### NATIONAL PLANNING FRAMEWORK

#### **1 National Planning Framework**

After Part 1 of the principal Act insert—

#### “PART 1A

#### NATIONAL PLANNING FRAMEWORK

##### **3A National Planning Framework**

- (1) There is to be a spatial plan for Scotland to be known as the “National Planning Framework”.
- (2) The National Planning Framework is to set out in broad terms how the Scottish Ministers consider that the development and use of land could and should occur.
- (3) The National Planning Framework must contain—
  - (a) a strategy for Scotland’s spatial development, and
  - (b) a statement of what the Scottish Ministers consider to be priorities for that development.
- (4) The framework may—
  - (a) contain an account of such matters as the Scottish Ministers consider affect, or may come to affect, the development and use of land,
  - (b) describe—
    - (i) a development and designate it, or
    - (ii) a class of development and designate each development within that class,a “national development”, and

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*Status: This is the original version (as it was originally enacted).*

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- (c) contain any other matter which the Scottish Ministers consider it appropriate to include.
- (5) If the framework contains a designation under subsection (4)(b), the framework—
  - (a) must contain a statement by the Scottish Ministers of their reasons for considering that there is a need for the national development in question, and
  - (b) may contain a statement by the Scottish Ministers as regards other matters pertaining to that designation.
- (6) The Scottish Ministers are to—
  - (a) prepare and publish the framework, and
  - (b) keep it under review.
- (7) Within 5 years after publishing the framework under subsection (6)(a), the Scottish Ministers are either—
  - (a) to revise the framework, or
  - (b) to publish an explanation of why they have decided not to revise it.
- (8) If the Scottish Ministers revise the framework, they are to publish it as revised.
- (9) Within 5 years after publishing the framework under subsection (8) or an explanation either under paragraph (b) of subsection (7) or under paragraph (b) of this subsection, the Scottish Ministers are either—
  - (a) to revise the framework, or
  - (b) to publish an explanation of why they have decided not to revise it.
- (10) The Scottish Ministers are to prepare and publish an account (in this Part referred to as their “participation statement”) of when consultation as regards the preparation or review of the framework is likely to take place and with whom and of its likely form and of the steps to be taken to involve the public at large in the preparation or review.

### **3B Proposals for National Planning Framework: Parliamentary consideration**

- (1) After complying with section 3A(10), the Scottish Ministers—
  - (a) are to lay the proposed National Planning Framework (or of the framework as proposed to be revised) before the Scottish Parliament, and
  - (b) are not to complete their preparation or revision of the framework until the period for Parliamentary consideration has expired.
- (2) In this section, the “period for Parliamentary consideration” means the period of 60 days beginning on the day on which the draft is so laid; and in reckoning that period no account is to be taken of any time during which the Scottish Parliament—
  - (a) is dissolved, or
  - (b) is in recess for more than 4 days.
- (3) In preparing or revising the framework, the Scottish Ministers are to have regard to any resolution or report of, or of any committee of, the Scottish

Parliament made, during the period for Parliamentary consideration, as regards the proposed framework (or as the case may be the framework as proposed to be revised).

### **3C National Planning Framework to be laid before Parliament**

- (1) The Scottish Ministers are to lay a copy of the National Planning Framework published, or published as revised, under section 3A before the Scottish Parliament.
- (2) Together with any copy laid under subsection (1), the Scottish Ministers are to lay—
  - (a) a report as to the extent to which their actings with regard to consultation and the involvement of the public at large have conformed with (or have gone beyond the requirements of) their current participation statement, and
  - (b) a statement giving details of—
    - (i) any resolution or report falling within subsection (3) of section 3B, and
    - (ii) the changes (if any) which in the light of any such resolution or report the Scottish Ministers have made to what was laid under subsection (1)(a) of that section.

### **3D Sustainable development: exercise of functions by Scottish Ministers**

- (1) This section applies to the Scottish Ministers in the exercise of their functions of preparing and revising the National Planning Framework.
- (2) The Scottish Ministers must exercise those functions with the objective of contributing to sustainable development.
- (3) In construing the expression “sustainable development” for the purposes of this section, regard may be had to any guidance issued, for the purposes of section 3E, under subsection (3) of that section.”.