

2024 No. 79 (C. 7)

TOWN AND COUNTRY PLANNING

The Planning (Scotland) Act 2019 (Commencement No. 13 and Saving Provisions) Regulations 2024

Made - - - - *12th March 2024*

Laid before the Scottish Parliament *14th March 2024*

Coming into force - - *1st April 2024*

The Scottish Ministers make the following Regulations in exercise of the powers conferred by section 63(2) and (3) of the Planning (Scotland) Act 2019(a).

Citation, commencement and interpretation

1.—(1) These Regulations may be cited as the Planning (Scotland) Act 2019 (Commencement No. 13 and Saving Provisions) Regulations 2024 and come into force on 1 April 2024.

(2) In these Regulations—

“the Act” means the Planning (Scotland) Act 2019,

“the 1997 Act” means the Town and Country Planning (Scotland) Act 1997(b).

Appointed day – 1 April 2024

2.—(1) Subject to paragraphs (3) to (6), the day appointed for the coming into force of the provisions of the Act specified in paragraph (2), in so far as not already in force, is 1 April 2024.

(2) The provisions are—

- (a) section 12 (amendment of National Planning Framework and local development plans),
- (b) section 15 (masterplan consent area schemes),
- (c) section 16 (bar to creation of new simplified planning zones),
- (d) section 50 (chief planning officers),
- (e) section 62 (minor and consequential amendments and repeals),
- (f) paragraph 9 (regulations) of schedule 2 (minor and consequential amendments and repeals).

(3) Section 12 of the Act is commenced only for the purposes of making regulations under section 3CC(3) and (4) and section 20AA(5) of the 1997 Act (as inserted by section 12 of the Act).

(4) Section 15 of the Act is commenced only for the purposes of making regulations under schedule 5A of the 1997 Act (as inserted by section 15(3) of the Act) and bringing fully into force paragraph 5 of schedule 5A of the 1997 Act (as inserted by section 15(3) of the Act).

(a) 2019 asp 13.

(b) 1997 c. 8.

(5) Section 62 of the Act is commenced only for the purposes of the commencement of paragraph 9 of schedule 2 of the Act.

(6) Paragraph 9 of schedule 2 of the Act is commenced only for the purposes of making regulations under—

- (a) section 3CC(3) of the 1997 Act (as inserted by section 12 of the Act),
- (b) paragraph 3 of schedule 5A of the 1997 Act (as inserted by section 15(3) of the Act).

Saving provisions – simplified planning zone schemes

3.—(1) This regulation applies in relation to a simplified planning zone scheme in respect of which a planning authority have given notice by advertisement of the proposed simplified planning zone scheme in accordance with regulation 4(b) of the Town and Country Planning (Simplified Planning Zones) (Scotland) Regulations 1995(a) before 1 April 2024.

(2) Where this regulation applies section 50(2) and (3) and schedule 5 of the 1997 Act continue to apply in respect of that simplified planning zone scheme as they had effect immediately before 1 April 2024.

JOE FITZPATRICK

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
12th March 2024

(a) S.I. 1995/2043.

EXPLANATORY NOTE

(This note is not part of the Regulations)

These Regulations bring sections 16 and 50 of the Planning (Scotland) Act 2019 (“the Act”) fully into force on 1 April 2024. Section 62 of the Act is commenced on 1 April 2024 for the limited purpose of bringing paragraph 9 of schedule 2 into force. Sections 12 and 15 and paragraph 9 of schedule 2 of the Act are brought into force on that date for the purpose of enabling regulations to be made under the new sections 3CC(3) and (4) and 20AA(5) of the Town and Country Planning (Scotland) Act 1997 (“the 1997 Act”) and under new schedule 5A of the 1997 Act (inserted respectively by section 12 and section 15(3) of the Act) and of bringing paragraph 5 of that new schedule 5A fully into force.

Regulation 3 contains saving provisions so that the provisions of the 1997 Act relating to the making of a simplified planning zone scheme continue to apply as they had effect before 1 April 2024 where notice of the proposed simplified planning zone scheme was published by the planning authority before that date.

The Bill for the Act received Royal Assent on 25 July 2019. Sections 58 to 61, 63 and 64 came into force on the following day.

NOTE AS TO EARLIER COMMENCEMENT REGULATIONS

(This note is not part of the Regulations)

The following provisions of the Planning (Scotland) Act 2019 have been brought into force by commencement regulations made before the date of these Regulations.

<i>Provision</i>	<i>Date of Commencement</i>	<i>S.S.I. No.</i>
Sections 1, 2 and 10	8 November 2019	S.S.I. 2019/314
Sections 3, 5, 7, 11, 14 and 62 and paragraph 9 of schedule 2 (for limited purposes)	8 November 2019	S.S.I. 2019/314
Sections 25 and 42	20 December 2019	S.S.I. 2019/377
Section 23	1 March 2020	S.S.I. 2019/377
Section 18(1), (2) and (4)	1 December 2019	S.S.I. 2019/385
Sections 20, 24, 29, 41, 47, 48, 49, 51, 52 and 53	1 December 2019	S.S.I. 2019/385
Sections 26, 62 and paragraph 9 of schedule 2 (for limited purposes)	1 December 2019	S.S.I. 2019/385
Sections 27 and 30	1 March 2020	S.S.I. 2019/385
Sections 17, 62 and paragraph 9 of schedule 2 (for limited purposes)	18 May 2020	S.S.I. 2020/67
Section 26	18 May 2020	S.S.I. 2020/67
Section 34 and 37	18 November 2020	S.S.I. 2020/294
Section 17	1 April 2021	S.S.I. 2021/101
Section 40	17 July 2021	S.S.I. 2021/244
Section 14(1) (for limited purposes)	22 January 2022	S.S.I. 2021/480
Section 14(3) and (7)	22 January 2022	S.S.I. 2021/480
Sections 22, 32, 33 and 38 and paragraph 6 of schedule 2	1 October 2022	S.S.I. 2022/275
Section 62 (for limited purposes)	1 October 2022	S.S.I. 2022/275
Section 13(4) and (5)	23 December 2022	S.S.I. 2022/386

Section 13(1) (for limited purposes)	23 December 2022	S.S.I. 2022/386
Paragraph 4 of schedule 2	11 February 2023	S.S.I. 2023/10
Section 62 (for limited purposes)	11 February 2023	S.S.I. 2023/10
Sections 6, 9, 13(1), (2) and (3) and paragraph 1 of schedule 2	12 February 2023	S.S.I. 2023/10
Section 62 (for limited purposes)	12 February 2023	S.S.I. 2023/10
Section 7, 8, 11, 14(2) and paragraphs 2 and 3 of schedule 2	19 May 2023	S.S.I. 2023/100
Section 14(1) and 62 (for limited purposes)	19 May 2023	S.S.I. 2023/100
Section 14(4)	20 May 2023	S.S.I. 2023/100
Section 14(1) (for limited purposes)	20 May 2023	S.S.I. 2023/100

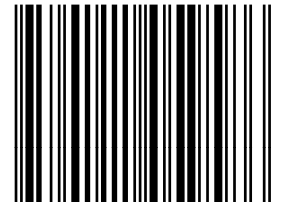
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