



# Town and Country Planning (Scotland) Act 1997

## 1997 CHAPTER 8

### [<sup>F1</sup> PART 2

#### DEVELOPMENT PLANS

##### *[<sup>F1</sup>Development plan schemes and delivery programmes]*

#### [<sup>F121</sup> [<sup>F2</sup>Delivery programmes]

- <sup>F3</sup>(1) .....
- (2) A planning authority who prepare a local development plan are to prepare [<sup>F4</sup>a delivery] programme for the plan.
- (3) In preparing [<sup>F5</sup>a delivery] programme [<sup>F6</sup>an authority] are to seek the views of, and have regard to any views expressed by—
- (a) the key agencies, and
  - (b) such persons as may be prescribed.
- (4) When an authority publish a proposed—
- <sup>F7</sup>(a) .....
  - (b) local development plan under section 18(1)(a),
- they are to publish a proposed [<sup>F8</sup>delivery] programme for the plan.
- [<sup>F9</sup>(4A) It is the duty of the head of the planning authority's paid service (designated under section 4 of the Local Government and Housing Act 1989) to prepare the proposed delivery programme.
- (4B) The planning authority must approve the proposed delivery programme before it is published.

**Changes to legislation:** Town and Country Planning (Scotland) Act 1997, Section 21 is up to date with all changes known to be in force on or before 16 April 2024. There are changes that may be brought into force at a future date. Changes that have been made appear in the content and are referenced with annotations. (See end of Document for details) View outstanding changes

- (4C) Section 56 of the Local Government (Scotland) Act 1973 (arrangements for discharge of functions by local authorities) does not apply to the function of approving a proposed delivery programme.]
- (5) It is the duty of a key agency to co-operate with [<sup>F10</sup>an authority] in the preparation of the authority's [<sup>F11</sup>delivery] programme or proposed [<sup>F11</sup>delivery] programme.
- (6) [<sup>F12</sup>A delivery] programme is a document setting out how [<sup>F13</sup>an authority] propose to implement the plan to which it relates.
- (7) Regulations may make provision as to—
- (a) the form and content of, and
  - (b) the procedures for preparing and adopting, [<sup>F14</sup>a delivery] programme.
- (8) The authority are to adopt and publish the [<sup>F15</sup>delivery] programme within 3 months after the date on which the plan to which it relates is constituted.
- (9) The authority must keep the [<sup>F16</sup>delivery] programme under review and must update and re-publish it—
- (a) whenever required to do so by the Scottish Ministers, and
  - (b) (subject to paragraph (a)) whenever they think it appropriate to do so but in any event within 2 years after last publishing (or re-publishing) it.
- (10) When they publish, or re-publish, [<sup>F17</sup>a delivery] programme, the authority are to—
- (a) send two copies of it to the Scottish Ministers, and
  - (b) place a copy of it in each public library—
    - <sup>F18</sup>(i) .....
    - (ii) <sup>F19</sup>... in the part of the authority's district to which the local development plan in question relates,
 and such publication, or re-publication, is to include by electronic means (as for example by means of the internet).]

### Textual Amendments

- F1** Pt. 2 substituted (19.5.2008 for specified purposes, 25.6.2008 for specified purposes, 28.2.2009 in so far as not already in force) by [Planning etc. \(Scotland\) Act 2006 \(asp 17\)](#), **ss. 2, 59(2)** (with savings and transitional provisions in [S.S.I. 2008/165](#), arts. 1, 2 and [S.S.I. 2008/427](#), arts. 1(1), 2-5); [S.S.I. 2008/164](#), art. 2(1)(2), **sch.**; [S.S.I. 2009/70](#), art. 2, **sch.**
- F2** S. 21 heading substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 11(3)**, 63(2); [S.S.I. 2019/314](#), reg. 2; [S.S.I. 2023/100](#), reg. 2(2)(c) (with reg. 5)
- F3** S. 21(1) repealed (12.2.2023) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), s. 63(2), **sch. 2 para. 1(4)(a)**; [S.S.I. 2023/10](#), reg. 3(2)(e)
- F4** Words in s. 21(2) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 11(2)(a)**, 63(2); [S.S.I. 2019/314](#), reg. 2; [S.S.I. 2023/100](#), reg. 2(2)(c) (with reg. 5)
- F5** Words in s. 21(3) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), **ss. 11(2)(b)**, 63(2); [S.S.I. 2019/314](#), reg. 2; [S.S.I. 2023/100](#), reg. 2(2)(c) (with reg. 5)
- F6** Words in s. 21(3) substituted (12.2.2023) by [Planning \(Scotland\) Act 2019 \(asp 13\)](#), s. 63(2), **sch. 2 para. 1(4)(b)**; [S.S.I. 2023/10](#), reg. 3(2)(e)

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- F7** S. 21(4)(a) and word repealed (12.2.2023) by Planning (Scotland) Act 2019 (asp 13), s. 63(2), **sch. 2 para. 1(4)(c)**; S.S.I. 2023/10, reg. 3(2)(e)
- F8** Word in s. 21(4) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 11(2)(c)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(c) (with reg. 5)
- F9** S. 21(4A)-(4C) inserted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 11(2)(d)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(c) (with reg. 5)
- F10** Words in s. 21(5) substituted (12.2.2023) by Planning (Scotland) Act 2019 (asp 13), s. 63(2), **sch. 2 para. 1(4)(d)**; S.S.I. 2023/10, reg. 3(2)(e)
- F11** Word in s. 21(5) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 11(2)(e)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(c) (with reg. 5)
- F12** Words in s. 21(6) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 11(2)(f)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(c) (with reg. 5)
- F13** Words in s. 21(6) substituted (12.2.2023) by Planning (Scotland) Act 2019 (asp 13), s. 63(2), **sch. 2 para. 1(4)(e)**; S.S.I. 2023/10, reg. 3(2)(e)
- F14** Words in s. 21(7) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 11(2)(g)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(c) (with reg. 5)
- F15** Word in s. 21(8) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 11(2)(h)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(c) (with reg. 5)
- F16** Word in s. 21(9) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 11(2)(i)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(c) (with reg. 5)
- F17** Words in s. 21(10) substituted (8.11.2019 for specified purposes, 19.5.2023 in so far as not already in force) by Planning (Scotland) Act 2019 (asp 13), **ss. 11(2)(j)**, 63(2); S.S.I. 2019/314, reg. 2; S.S.I. 2023/100, reg. 2(2)(c) (with reg. 5)
- F18** S. 21(10)(b)(i) and word repealed (12.2.2023) by Planning (Scotland) Act 2019 (asp 13), s. 63(2), **sch. 2 para. 1(4)(f)**; S.S.I. 2023/10, reg. 3(2)(e)
- F19** Words in s. 21(10)(b)(ii) repealed (12.2.2023) by Planning (Scotland) Act 2019 (asp 13), s. 63(2), **sch. 2 para. 1(4)(g)**; S.S.I. 2023/10, reg. 3(2)(e)

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**Changes and effects yet to be applied to the whole Act associated Parts and Chapters:**

- Act applied by [S.S.I. 2008/189 art. 53\(3\)](#)
- Act power to apply (with or without modifications) conferred by [2021 asp 9 s. 45\(3\)\(b\)\(c\)](#)

**Whole provisions yet to be inserted into this Act (including any effects on those provisions):**

- Pt. 11A inserted by [2006 asp 17 s. 29](#)
- Pt. 12A inserted by [2006 asp 17 s. 30](#)
- Pt. 12A inserted by [2019 asp 13 s. 46\(2\)](#)
- s. 3CD inserted by [2019 asp 13 s. 4\(2\)](#)
- s. 20AA(4)(a)(iii) inserted by [2019 asp 13 s. 14\(6\)](#)
- s. 29(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(3\)\(b\)](#)
- s. 36(1)(ca) inserted by [2019 asp 13 Sch. 2 para. 5\(4\)\(b\)](#)
- s. 36(5)(6) inserted by [2019 asp 13 s. 36\(2\)](#)
- s. 40A inserted by [2019 asp 13 s. 19\(2\)](#)
- s. 43A-43AD substituted for s. 43A by [2019 asp 13 s. 28\(2\)](#)
- s. 47(2)(aa) inserted by [2019 asp 13 s. 28\(3\)\(a\)](#)
- s. 47(2A) inserted by [2019 asp 13 s. 28\(3\)\(b\)](#)
- s. 47(6) inserted by [2019 asp 13 s. 31\(2\)\(c\)](#)
- s. 54A-54F and cross-heading inserted by [2019 asp 13 s. 15\(2\)](#)
- s. 57(2C)(2D) inserted by [2021 asp 9 s. 44\(2\)](#)
- s. 58(4)(fa) inserted by [2019 asp 13 Sch. 2 para. 5\(5\)\(b\)](#)
- s. 61(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(6\)\(b\)](#)
- s. 75(4A) inserted by [2019 asp 13 s. 35\(2\)](#)
- s. 75A(5A) inserted by [2019 asp 13 s. 35\(3\)](#)
- s. 77A inserted by [2019 asp 13 s. 39\(2\)](#)
- s. 135(4A) inserted by [2019 asp 13 s. 43\(2\)\(c\)](#)
- s. 154(1)(c) and word inserted by [2019 asp 13 s. 28\(4\)\(a\)\(ii\)](#)
- s. 154(1A) inserted by [2019 asp 13 s. 28\(4\)\(b\)](#)
- s. 158A(1A) inserted by [2019 asp 13 s. 44\(2\)](#)
- s. 158B-158F and cross-heading inserted by [2019 asp 13 s. 43\(3\)](#)
- s. 183(1)(c) inserted by [2019 asp 13 Sch. 2 para. 5\(7\)\(b\)](#)
- s. 237(1)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(8\)](#)
- s. 238(3)(a)-(c) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(a\)\(ii\)](#)
- s. 238(5)(ba) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(b\)](#)
- s. 238(7) inserted by [2019 asp 13 Sch. 2 para. 5\(9\)\(c\)](#)