

2013 No. 25

REGULATORY REFORM

TOWN AND COUNTRY PLANNING

**The Public Services Reform (Planning) (Pre-application
consultation) (Scotland) Order 2013**

Made - - - - - *29th January 2013*

Coming into force - - - - - *2nd February 2013*

The Scottish Ministers make the following Order in exercise of the powers conferred by section 17(1) and (9) of the Public Services Reform (Scotland) Act 2010^(a) (“the Act”) and all other powers enabling them to do so.

The Scottish Ministers consider that the relevant conditions in section 18(2) of the Act are satisfied.

The Scottish Ministers have consulted in accordance with section 26 of the Act.

The Scottish Ministers have laid a draft of this Order and an explanatory document before the Scottish Parliament in accordance with section 25(2)(b) of the Act.

In accordance with section 25(2)(c) of the Act, a draft of this Order has been approved by resolution of the Scottish Parliament.

Citation and commencement

1. This Order may be cited as the Public Services Reform (Planning) (Pre-application consultation) (Scotland) Order 2013 and comes into force on 2nd February 2013.

^(a) 2010 asp 8. Section 25 has been modified by paragraph 5 of schedule 3 to the Interpretation and Legislative Reform (Scotland) Act 2010 (asp 10).

Amendment of section 35A of the Town and Country Planning (Scotland) Act 1997

2.—(1) The Town and Country Planning (Scotland) Act 1997^(a) is amended in accordance with paragraph (2).

(2) In section 35A (pre-application consultation: preliminary) after subsection (1) insert—

“(1A) Subsection (1) does not apply to an application for planning permission to which section 42 applies.”.

DEREK MACKAY

Authorised to sign by the Scottish Ministers

St Andrew's House,
Edinburgh
29th January 2013

^(a) 1997 c.8. Section 35A was inserted by section 11 of the Planning etc. (Scotland) Act 2006 (asp 17).

EXPLANATORY NOTE

(This note is not part of the Order)

This Order amends section 35A of the Town and Country Planning (Scotland) Act 1997 to provide that applications made under section 42 of that Act are not subject to the requirements for pre-application consultation contained in section 35B of that Act.

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