Pentland Hills Regional Park Boundary Bill

[AS INTRODUCED]

An Act of the Scottish Parliament to make provision about altering the boundary of the Pentland Hills Regional Park; and for connected purposes.

1 Regulations altering the boundary of the Pentland Hills Regional Park

(1) Subject to subsection (2), the Scottish Ministers may make regulations altering, on a date specified in the regulations, the boundary of the Park to include an area designated in the regulations.

(2) The Scottish Ministers may only designate an area in the regulations which—
   (a) lies between the existing southern boundary of the Park and the outer limit;
   (b) has been proposed to them by all the relevant local authorities, acting jointly, after following the procedure specified in section 2; and
   (c) includes all of the southern summits.

(3) Regulations under subsection (1) are subject to the affirmative procedure.

2 Procedure to be followed by the relevant local authorities

(1) Before proposing an area to be designated by the Scottish Ministers, the relevant local authorities must, subject to subsection (4)—
   (a) give notice of their proposal to—
       (i) every owner, occupier and lessee of land within that area; and
       (ii) such other persons or bodies as the relevant local authorities consider appropriate; and
   (b) publish a copy of that notice in whatever way they consider reasonable.

(2) The notice given and published under subsection (1)—
   (a) must specify a period (being a period of not less than 28 days beginning on the day after the date when the notice is first published) within which representations with respect to that proposal may be made; and
   (b) may be given and published by one of the relevant local authorities acting on behalf of all of them.
(3) The relevant local authorities must, acting jointly, consider any representations duly made in accordance with that notice.

(4) The Scottish Ministers may, by regulations, make further provision with regard to the procedure to be followed by the relevant local authorities before proposing an area to be designated, including, but without limiting that generality—

(a) the form of the notice to be given by the relevant local authorities under subsection (1);
(b) the persons or bodies to whom it is to be given; and
(c) the manner in which it is to be given or published.

(5) Regulations under subsection (4) are subject to the negative procedure.

3 Alteration of the boundary of the Park on the default date

(1) If, and only if, the boundary of the Park has not been altered by regulations under section 1 before the default date, that boundary is altered, on that date, to include the whole of the area between the existing southern boundary of the Park and the outer limit.

(2) Subsection (1) does not prevent regulations under section 1 from further altering the boundary of the Park after the default date.

4 Interpretation

(1) In this Act—

“the default date” means the last day of a period of 2 years beginning on the day after the day of Royal Assent;

“the designation order” means the Pentland Hills Regional Park Designation Order 1984 which was confirmed by the Secretary of State on 12th September 1986;

“the Park” means the Pentland Hills Regional Park;

“the southern summits” means the summits of the following hills—

(a) Seat Hill at NT 036519;
(b) Black Mount at NT 080460; and
(c) Mendick Hill at NT 122506;

“the outer limit” means a line which—

(a) commences where the existing southern boundary of the Park leaves the A70 at NT 058587; then
(b) follows a line which runs generally—

(i) south-westwards along the east side of the A70 to the junction with the A721 at NS 983465; then
(ii) south-eastwards along the north side of the A721 to the junction with the A702 at NT 087442; and then
(iii) north-eastwards along the west side of the A702 to the point where the existing southern boundary of the Park meets the A702 at Carllops at NT 162562;
“the existing southern boundary of the Park” means the part of the boundary of the Park as described in the Schedule to the designation order and delineated on the map annexed to it which—

(a) runs from the east side of the A70 at the bridge over the Green Burn at NT 058587; and

(b) follows a line which runs generally eastwards to the A702 at Carlops at NT 162562; and

“relevant local authorities” means the City of Edinburgh Council, Midlothian Council, West Lothian Council, Scottish Borders Council, and South Lanarkshire Council.

(2) In subsection (1), references to NT or NS numbers are references to the Ordnance Survey National Grid Map reference points.

5 **Commencement**

This Act comes into force on the day after Royal Assent.

6 **Short title**

The short title of this Act is the Pentland Hills Regional Park Boundary Act 2015.
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Introduced by: Christine Grahame
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