Planning (Scotland) Bill – Stage 3

Section 1

Rhoda Grant

4 In section 1, page 2, line 34, at end insert—

<(  ) any land rights and responsibilities statement prepared under section 1 of the Land Reform (Scotland) Act 2016,>

Rhoda Grant

5 In section 1, page 2, line 34, at end insert—

<(  ) any national strategy or action plan for the ownership or use of land prepared by the Scottish Ministers,>

Rhoda Grant

6 In section 1, page 3, line 27, at end insert—

<(  ) In section 3A(4) (content of framework), after paragraph (a) insert—

“(aa) contain such maps, diagrams, illustrations and descriptive matter as may be prescribed of no longer inhabited human settlement,”.>

Rhoda Grant

7 In section 1, page 3, line 27, at end insert—

<(  ) In section 3A(4) (content of framework), after paragraph (a) insert—

“(aa) contain such maps, diagrams, illustrations and descriptive matter as may be prescribed of areas that—

(i) have been inhabited at any time—

(A) within the last 350 years or since the year 1700, whichever is the later, or

(B) within a time frame specified by the Scottish Ministers following consultation under section 3CC(3), and

(ii) are no longer inhabited,”.>

Rhoda Grant

8 In section 1, page 3, line 27, at end insert—

<(  ) After section 3A(4) insert—

“(4A) The Scottish Ministers must have regard to any National Scenic Areas annual report published by them under section 263AB and include in the framework a statement setting out the ways the report has been taken into account in preparing the framework.”>
After section 1B

Rhoda Grant

9 After section 1B, insert—

<Account of decline in population

(1) The Town and Country Planning (Scotland) Act 1997 is amended as follows.

(2) After section 3CB (duty of Scottish Ministers to report on housing needs of older people and disabled people), insert—

“3CC Account of decline in population

(1) The Scottish Ministers, for the purpose of explaining or illustrating their policies and proposal for the development and use of land, are to prepare an account of areas in relation to which there has been substantial decline in population since the year 1700.

(2) The account may be in such manner as the Scottish Ministers consider appropriate.

(3) The Scottish Ministers may by regulations specify the meaning of “substantial decline” for the purposes of this Act.

(4) Before preparing the account, the Scottish Ministers must consult such persons and organisations as they consider appropriate to assist them in defining “substantial decline” for the purposes of such an account.

(5) In preparing the account, the Scottish Ministers are to consult—

(a) persons with experience or knowledge of—

(i) social and economic development in Scotland,

(ii) ecological and environmental sustainability,

(iii) the interests of owners and occupiers of land,

(iv) the interest of communities,

(v) the needs of agriculture,

(vi) the needs of conservation sites of archaeological or historical interest,

(b) such other persons as they consider appropriate.”.

Section 3

Rhoda Grant

10 In section 3, page 13, line 35, at end insert—

<(ab) such maps, diagrams, illustrations and descriptive matter as the planning authority consider appropriate for the purposes of subsection (5)(cf),”,
Section 26D

11 In section 26D, page 67, line 35, at end insert—

<( ) In section 263A (National Scenic Areas), after subsection (6)(a), insert—

“(aa) persons resident within, or adjacent to, the area of a proposed designation,

(ab) a community body (as defined by section 4(9) of the Community Empowerment (Scotland) Act 2015) with an interest in the area of a proposed designation,”.>

12 In section 26D, page 67, line 35, at end insert—

<(4) After section 263A, insert—

“263AB National Scenic Areas: annual report

(1) The Scottish Ministers are to prepare and publish an annual report setting out information about any consultation process under section 263A(6) undertaken during the reporting year.

(2) A report under subsection (1) must include—

(a) the ways in which views expressed by any person consulted under subsection 263A(6)(aa) and (ab) were taken into account by the Scottish Ministers before issuing a direction under section 263A(1) or (5), and

(b) how the Scottish Ministers intend to improve their consultation process before issuing any future such directions.

(3) In this section, “reporting year” means—

(a) in the case of the first report, the period of time from the date on which section 26D(4) of the Planning (Scotland) Act 2019 comes into force until 31 March of the following year,

(b) in the case of each subsequent report, the period of time beginning with 1 April and ending with 31 March in the following year.”.>