After section 14G

Alex Cole-Hamilton

3 After section 14G, insert—

<Conditional grant of planning permission: fibre-to-the-cabinet provisions

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

(2) After section 41 insert—

“41C Conditional grant of planning permission: fibre-to-the-cabinet provisions

(1) Without prejudice to the generality of section 41(1), a planning authority may grant planning permission for a development that falls within subsection (2) only on condition that the development includes provision for fibre-to-the-cabinet for the development.

(2) A development that is the subject of an application for planning permission falls within this section if it is not for, or does not relate to, a single dwellinghouse.

(3) Subsection (1) does not apply where the planning authority are satisfied, on information provided by the applicant, that—

(a) there is good reason why provision for fibre-to-the-cabinet cannot be made for the development, and

(b) in the circumstances it is reasonable that subsection (1) should not apply.

(4) In this section “fibre-to-the-cabinet” means connectivity technology that is based on a combination of a fibre optic cable from the local telephone exchange to a distribution point and from the distribution point a copper telephone line to the development.”.