

Local Government, Housing and Planning Committee
Tuesday 26 November 2024
32nd Meeting, 2024 (Session 6)

Note by the Clerk on Town and Country Planning (Fees for Applications) (Scotland) Amendment Regulations 2024/292

Overview

1. At this meeting, the Committee will consider the following Scottish Statutory Instrument (SSI), which is subject to annulment by resolution of the Parliament until 9 December 2024. The Committee is invited to consider the instrument and decide what, if any, recommendations to make.

2. Further information about the instrument is summarised below:

Title of instrument: [Town and Country Planning \(Fees for Applications\) \(Scotland\) Amendment Regulations 2024](#)

Laid under: [Town and Country Planning \(Scotland\) Act 1997](#)

Laid on: 31 October 2024

Procedure: Negative

Deadline for committee consideration: 2 December 2024

Deadline for Chamber consideration: 9 December 2024

Commencement: 12 December 2024

Procedure

3. Under the negative procedure, an instrument is laid after it is made, and is subject to annulment by resolution of the Parliament for a period of 40 days beginning on the day it is laid.

4. Once laid, the instrument is referred to:

- the Delegated Powers and Law Reform (DPLR) Committee, for scrutiny on various technical grounds, and
- a lead committee, whose remit includes the subject-matter of the instrument, for scrutiny on policy grounds.

5. Any MSP may propose, by motion, that the lead committee recommend annulment of the instrument. If such a motion is lodged, it must be debated at a

meeting of the Committee, and the Committee must then report to the Parliament (by the advisory deadline referred to above).

6. If there is no motion recommending annulment, the lead committee is not required to report on the instrument.

Delegated Powers and Law Reform Committee consideration

7. The DPLR Committee [considered the instrument on 19 November](#) and confirmed that it had no points to raise in respect of the Regulations.

Purpose of the instrument

8. The Town and Country Planning (Fees for Applications) (Scotland) Amendment Regulations 2024 sets out the fees which an authority can charge for the submission of a planning application.

9. The purpose of the Regulations is to—

“implement an increase to planning fees to take account of the effects of inflation in 2022 and 2023, extend the range of services which an authority can introduce a fee or charge for to include entering into a processing agreement and to recover their costs in relation to the establishment and delivery of a Masterplan Consent Area, increase the fee for the Prior Notification/Approval process and adjust the fee for shellfish farming.”

10. [The Policy Note](#) accompanying the instrument includes a summary of consultation undertaken on the instrument, impact assessments carried out, and the anticipated financial effects.

Committee consideration

11. So far, no motion recommending annulment has been lodged.

12. Members are invited to consider the instrument and decide whether there are any points they wish to raise. If there are, options include:

- seeking further information from the Scottish Government (and/or other stakeholders) through correspondence, and/or
- inviting the Minister (and/or other stakeholders) to attend the next meeting to give evidence on the instrument.

13. It would then be for the Committee, at the next meeting, to consider the additional information gathered and decide whether to make recommendations in relation to the instrument.
14. If members have no points to raise, the Committee should note the instrument (that is, agree that it has no recommendations to make).
15. However, should a motion recommending annulment be lodged later in the 40-day period, it may be necessary for the Committee to consider the instrument again.

**Clerks to the Committee
November 2024**