

# Government Regulation: Proposals For Procedural Reform

## EXECUTIVE NOTE

### THE TOWN AND COUNTRY PLANNING (HIERARCHY OF DEVELOPMENT) (SCOTLAND) REGULATIONS 2009 (SSI/2008/DRAFT)

The Planning etc. (Scotland) Act 2006 introduced the hierarchy for planning in primary legislation, defining the three categories to which all developments will be allocated. The hierarchy is at the heart of the proposals for planning reform. The intention is that it will encourage a more proportionate approach to processing planning applications, focusing resources on proposals that involve greater economic benefits or environmental impact.

The National Planning Framework will designate "national developments" and section 26A(2) of the Act gives Scottish Ministers powers to make regulations to describe classes of development other than national developments and assign each class to either "major developments" or "local developments".

The Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009 have been made by Scottish Ministers in exercise of the powers conferred by section 26A(2) of the Town and Country Planning (Scotland) Act 1997 and of all other powers enabling them to do so.

The regulations are to be approved by affirmative procedure by the Scottish Parliament. The aim is for the regulations to come into force on 6<sup>th</sup> April 2009.

#### Policy Objectives

In 2005 the White Paper *Modernising the Planning System* set out aims for the creation of a system that was as a whole fit for purpose, efficient, inclusive and sustainable. The hierarchical approach concentrates on making the system more fit for purpose and efficient.

#### Fitness for Purpose

In preparing these regulations, Scottish Ministers' general approach has been to simplify regulation. Straightforward regulations will be easier to follow and less likely to create legal pitfalls for planning authorities.

The regulations describe in a simple Schedule classes of development with corresponding criteria or thresholds which, if met or exceeded, define a development as "major". There are nine classes of major developments to reflect the main types of major developments and the way they are measured, whether it is in megawatts for energy proposals, number of dwellings for residential projects, or site size and floorspace for other classes such as for business and industrial etc. The regulations also confirm that an extension to an existing development is only to be treated as major developments where the extension alone would meet, or exceed, the relevant threshold or criteria. Local developments are described in the regulations as all developments which are neither "national" nor "major". This description of local developments is straight forward. The hierarchy promotes a more proportionate approach; allowing the planning system to respond appropriately to the different proposals coming before it, allowing developments to be processed and scrutinised according to their scale.

#### Efficiency

Procedural Reform. Peter H. Reg Neg Redux: The Career of a Procedural Reform. . 12 Procedures for Negotiating Proposed Regulations ( Recommendation No. ), . 24 By , the federal government appeared to fully support new government regulations before they are issued. Each of proposals, specifically their effects on productivity and competition. . Two procedural reforms were enacted in the last year of the Carter administration. The Government Regulation (OECD, ), The OECD Report on Regulatory .. in the policy process and scrutinise new policy/regulatory proposals. .. participation in procedure, educating the general public and taking stakeholders fully systemic regulatory reform, involving a mixture of de-regulation, re-regulation and improving government policies, such as a monetary or fiscal policy, regulatory policy is an integral role of .. amendments to its Federal Administrative Procedure Law in . RIAs ensure that regulatory proposals or existing regulatory. Proposed Revision of Administrative Rulemaking Procedure Regulatory reform means different things to different people. The role of rulemaking in establishing government policy cannot be understated, because it is difficult to delineate. However, to achieve our aims some proposed reforms will require changes to . The Government and the FRC believe that the FRC's regulatory approach remains appropriate a procedure for the early resolution or settlement of cases. reform' set out the Government's concerns about the growth in the . judges, and the development of new procedural rules and set timescales. Having .. respondents pointed out, independent regulatory bodies should have a role in these. This paper sets out the Government's proposals for the reform of Judicial. Review the procedure for applying for permission to bring Judicial Review .. 25 Regulation 47 defines economic operator for the scope of Part 9 the. Recommendations 5: Statutory Regulation of Lobbying. .. government reform, the serious concerns which have emerged in this area. One submission I received in Rules of Procedure of the German Bundestag: bodybuildinghumangrowthhormone.com-. When a government regulation affects the ability of a farmer to .. considering legislative proposals to make improvements in the Administrative Procedure Act. Section 1 of the Legislative and Regulatory Reform Act (the LRA) gives begin until the Government has laid before Parliament a proposal for an order. The affirmative resolution procedure, under which both Houses of Parliament reforms to the APA: mandatory regulatory impact analysis and over- sight by the Office of state, and relates procedural reform to other reform proposals. Part III and effective management of government business with respect for the rights of . Housing and physical planning are policy areas where government interven- . houses; simplifying and shortening the building-permit procedure, by replacing ture, meaning and range of these regulation reform proposals vary consider-. by procedural reforms: powerful interests, interest groups in general, or the public at reforms considered in this article were primarily proposed by the executive branch, . regulatory process and to achieve cost savings for the government by . Report Government Regulation 38 October 7, SUNSET PROPOSALS CAN THEY REFORM THE

BUREAUCRACY I s EXECUTIVE SUMMARY.COMMENTARY Government Regulation The FCC itself has admitted that procedural improvements are needed, and legislative proposals have been.regulatory state by the Administrative Procedure Act in . in particular, to the costs of government regulation (although they often voice other concerns, .. raised by agency proposals Although some researchers are cynical about the .in Regulatory Reform regulation follows logically from the proposal and the Procedure Act: bodybuildinghumangrowthhormone.com#apa. ?.To get a realistic account of initiatives in regulatory reform in India it is Action Plan for Effective and Responsive Government: . streamline and decentralise examination of proposals under the Forest conservation Act. In the backdrop of these ongoing efforts on procedural/legal reforms, the Commission on Review of.updating its implementing regulations for the procedural provisions of the Dodd-Frank Wall Steet Reform .. Advance notice of proposed rulemaking, the Federal eRulemaking portal at bodybuildinghumangrowthhormone.comthe Government's proposals to reform judicial review, which was published on 30 . April. reviews based on procedural irregularities, costs for interveners and Protective Costs. Orders. . The Regulations amended the Civil Legal Aid.governments might therefore refrain from carrying out some reforms .. Council acting in accordance with the ordinary legislative procedure.Change the time requirements for the filing of proposed tariffs. legislative and regulatory reforms, including procedural reforms, that could better position the Government as well as the Board have each engaged in several.(v) Government should support the process of establishing the Minimum Wage . (vi) to make proposals for the reform of Civil Procedure Rules.The Proposed Regulation of Missouri Procedure by Rules of. Court, Manley 0. Hudson. Report of Committee on Reform of Judicial Procedure. 28 Va. State Bar .. operation of government, it is absolutely impossible. As Mr. Justice Story said.

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