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Dear Andy

PROPOSED SUPPLEMENTARY GUIDANCE – DEVELOPER CONTRIBUTIONS FRAMEWORK

Thank you for the opportunity to comment on the above proposed supplementary guidance.

We note that paragraph 4.20 states that the Council will seek to recover from applicants the cost for drafting legal agreements. With regard to the payment of fees, currently there are no provisions in the Town and Country Planning (Fees for Applications and Deemed Applications) (Scotland) Regulations 2004 providing for the payment of charges relating to the drafting or conclusion of legal agreements under section 75 of the Act. We do not consider that a planning authority is entitled to charge for undertaking its functions without express authority to do so and we would suggest you seek independent legal advice on this matter.

We hope these comments are of assistance.

Kind regards

Fiona Simpson
Assistant Chief Planner