

The Town and Country Planning (Masterplan Consent Areas) (Scotland) Regulations 2024

The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations 2024

Impact Assessments

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Introduction

The Planning (Scotland) Act 2019 (the Act) introduces Masterplan Consent Areas (MCAs) as a new upfront consenting mechanism. Planning authorities will be able to use MCAs as part of a proactive, place-making approach to planning and consenting – enabling the type of development they wish to come forward in their places. MCAs would effectively enable planning authorities to grant up-front consent for planned development, offering benefits to potential investors in terms of certainty and removing much of the risk.

The Act provides the planning authority would prepare a MCA ‘scheme’, with scope to give a range of types of consent, including planning permission, plus roads construction consent, listed building consent and conservation area consent – where provided for in the particular MCA scheme. Development that is in line with the MCA scheme could be brought forward without the need to apply for permission.

The Town and Country Planning (Masterplan Consent Areas) (Scotland) Regulations 2024 provide additional procedural detail around the requirements set out in the 2019 Act for preparing MCAs across Scotland.

The Environmental Impact Assessment (EIA) Regulations will mirror the provisions within The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and ensure MCA schemes are compatible with wider EIA requirements.

What are the impact assessments?

What is an [Equalities Impact Assessment \(EQIA\)](#)?

The public sector equality duty requires the Scottish Government to assess the impact of applying proposed new legislation. Equality legislation covers the characteristics of age, disability, gender reassignment, sex including pregnancy and maternity, race, religion and belief, and sexual orientation.

An EQIA aims to consider how a policy (a policy can cover: activities, functions, strategies, programmes, and services or processes) may impact, either positively or negatively, on different sectors of the population in different ways.

The Equality Act 2010 harmonised existing equality legislation and includes a public sector duty ('the Duty') which requires public authorities to pay due regard to the need to:

- Eliminate discrimination, harassment, victimisation or any other prohibited conduct;
- Advance equality of opportunity; and
- Foster good relations between different groups
 - by tackling prejudice and promoting understanding.

An EQIA was previously undertaken to support the Planning (Scotland) Bill (which introduced MCAs), and we do not consider that a further EQIA is required for these regulations.

What is the [Child Rights and Wellbeing Impact Assessment \(CRWIA\)](#)?

The Child Rights and Wellbeing Impact Assessment (CRWIA) is used to identify, research, analyse and record the impact of a proposed policy on children's human rights and wellbeing. CRWIA helps the Scottish Government consider whether it is: advancing the rights of children in Scotland; and protecting and promoting the wellbeing of children and young people.

CRWIA is a Ministerial duty under the Children and Young People (Scotland) Act 2014 and in relation to the United Nations Convention on the Rights of the Child (UNCRC).

What is the [Fairer Scotland Duty \(FSD\)](#) assessment?

The Fairer Scotland Duty is set out in legislation as Part 1 of the Equality Act 2010, and came into force in Scotland from April 2018. The aim of the duty is to help the public sector to make better policy decisions and deliver fairer outcomes. The duty focuses on socio-economic inequality issues such as low income, low wealth, and area deprivation.

The Fairer Scotland Duty applies to 'decisions of a strategic nature' – these are the key, high-level choices or plans that the public sector makes. We have considered

that the preparation of the secondary regulations themselves would not constitute a strategic decision under the definition in the Fairer Scotland Duty Interim Guidance, and therefore an assessment is not required.

What is an [Island Communities Impact Assessment \(ICIA\)](#)?

An Island Community Impact Assessment (ICIA) tests any new policy, strategy or service which is likely to have an effect on an island community which is significantly different from the effect on other communities. This became a legal duty in December 2020 under the Islands (Scotland) Act 2018.

What is the [Business and Regulatory Impact Assessment \(BRIA\)](#)?

A Business and Regulatory Impact Assessment (BRIA) looks at the likely costs, benefits and risks of any proposed primary or secondary legislation. It also covers voluntary regulation, codes of practice, guidance, or policy changes that may have an impact on the public, private or third sector.

The BRIA explains:

- the reason why the Scottish Government is proposing to intervene;
- options the Scottish Government is considering, and which one is preferred;
- how and to what extent new policies may impact on Scottish Government, business and on Scotland's competitiveness;
- the estimated costs and benefits of proposed measures.

What is [Strategic Environmental Assessment \(SEA\)](#)?

In Scotland, public bodies and private companies operating in a public character, such as utility companies, are required to assess, consult on, and monitor the likely impacts their plans, programmes and strategies will have on the environment. This process is known as Strategic Environmental Assessment (SEA).

SEA helps to better protect the environment, aims to ensure that any development is sustainable, and increases opportunities for public participation in decision-making. It ensures that expert views are sought at various points in the preparation process from the public and the consultation authorities, who are:

- Historic Environment Scotland
- Nature Scot
- Scottish Environmental Protection Agency .

What is a [Data Protection Impact Assessment \(DPIA\)](#)?

A Data Protection Impact Assessment (DPIA) considers the privacy implications associated with any arrangements involved in introducing new regulations. In this case it has been prompted by the development of a consultation on MCA regulations. A DPIA helps to identify and minimise the data protection risks of such a project.

Equalities Impact Assessment (EQIA)

EQUALITY IMPACT ASSESSMENT NOT REQUIRED DECLARATION

Policy title	<p>The Town and Country Planning (Masterplan Consent Areas) (Scotland) Regulations 2024</p> <p>The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations 2024</p>
Which National Outcome(s) does the policy contribute to?	<p>Planning authorities will be able to use Masterplan Consent Areas (MCAs) as part of a proactive, place-making approach to planning and consenting – enabling the type of development they wish to come forward in their places. MCAs will contribute to the following national outcomes contained in the National Performance Framework:</p> <ul style="list-style-type: none"> • We live in communities that are inclusive, empowered, resilient and safe. • We have a globally competitive, entrepreneurial, inclusive and sustainable economy. • We value, enjoy, protect and enhance our environment. • We are healthy and active.
Directorate: Division: Team:	<p>Local Government and Communities: Planning, Architecture and Regeneration Division: Transforming Planning</p>
Policy lead responsible for taking the decision	Adam Henry

Please record why you are not carrying out an EQIA and what your justification is for making that decision.

In 2017 we published the Places, People and Planning Consultation which included some recommendations about the use of SPZs which influenced our approach to the provisions within the Planning (Scotland) Act 2019.

An EQIA was previously undertaken to support the Planning (Scotland) Bill (which introduced MCAs), and we do not consider that a further EQIA is required for these regulations.

In developing our proposals, the public sector equality duty requires the Scottish Government to pay due regard to the need to:

- eliminate discrimination, victimisation, harassment or other unlawful conduct that is prohibited under the Equality Act 2010;
- advance equality of opportunity between people who share a protected characteristic and those who do not; and
- foster good relations between people who share a relevant protected characteristic.

We do not believe this position has changed based on the proposals to implement MCAs. At this stage, we do not believe there is any indication that a full EQIA is required.

I confirm that the decision to not carry out an EQIA has been authorised by:

Name and job title of Deputy Director (or equivalent)	Date authorisation given
Fiona Simpson Chief Planner	15/11/2023

Child Rights and Wellbeing Impact Assessment for (CRWIA)

Screening Stage 1 – Screening

Disclaimer

This draft document is an initial assessment of The Town and Country Planning (Masterplan Consent Areas) (Scotland) Regulations 2024 and The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations 2024 and Scottish Government will continue to review and update this document where required during the parliamentary process. Any future iterations will reflect an increased understanding of these impacts as the amount of data and research available continues to grow.

This impact assessment screening should be read in conjunction with the screenings undertaken for the [Equality Impact Assessment](#) and the [Fairer Scotland Duty Assessment](#).

1. Brief Summary

- The Town and Country Planning (Masterplan Consent Areas) (Scotland) Regulations 2024
- The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations 2024

The Planning (Scotland) Act 2019 introduces Masterplan Consent Areas (MCAs) as a new upfront consenting mechanism. Planning authorities will be able to use MCAs as part of a proactive, place-making approach to planning and consenting – enabling the type of development they wish to come forward in their places. MCAs would effectively enable planning authorities to grant up-front consent for planned development, offering benefits to potential investors in terms of certainty and removing much of the risk.

The Act provides that the planning authority would prepare a MCA ‘scheme’, with scope to give a range of types of consent, including planning permission, plus roads construction consent, listed building consent and conservation area consent – where provided for in the particular MCA scheme. Development that is in line with the MCA scheme could be brought forward without the need to apply for permission.

The Regulations provide additional procedural detail around the requirements set out in 2019 Act for preparing MCAs across Scotland. The further detail in the Regulations is based on the broad principles that were outlined within the 2019 Act, which were subject to CRWIA.

The Environmental Impact Assessment (EIA) Regulations will mirror the provisions within The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, and ensure MCAs and EIA are compatible.

Start date of relevant proposal: 31/07/2023*

Start date of CRWIA process: 31/07/2023*

*Date work started on preparing secondary legislation

2. Which aspects of the relevant proposal currently affects or will affect children and young people up to the age of 18?

We consider that any aspects affecting children and young people up to the age of 18 have been covered by a CRWIA was previously undertaken to support the Planning (Scotland) Bill (which introduced MCAs). It found that the provisions for enhanced engagement in planning, including the requirement to use methods that will secure the engagement of children and young people in the process, will have a positive and direct impact. Therefore, these regulations which provide further procedural detail to the overall framework for making a MCA scheme as set out in the Act, do not make further provisions which would impact on the

rights of children and young people further than those described and implemented in the 2019 Act and assessed in the CRWIA for the Act.

3. Which groups of children and young people are currently or will be affected by the relevant proposal?

We consider that any aspects affecting groups of children or young people have been covered by a CRWIA was previously undertaken to support the Planning (Scotland) Bill. It also found that the provisions for enhanced engagement, will have a positive and direct impact. These are technical procedural regulations and will not have a direct impact on children and young people.

Declaration

4. Is a Stage 2 Children’s Rights and Wellbeing Impact Assessment required?

CRWIA required

CRWIA not required

Explanation why CRWIA is not required:

A CRWIA was previously undertaken to support the Planning (Scotland) Bill (which introduced MCAs), and we do not consider that a further CRWIA is required for these regulations as they just provide further procedural detail to the overall framework for making a MCA scheme as set out in the Act.

5. Sign & Date

Policy Lead Signature & Date of Sign Off:	Adam Henry 14 /11/2023
Deputy Director Signature & Date of Sign Off:	Fiona Simpson 15 /11/2023

Fairer Scotland Duty (FSD)

<p>Title of policy, strategy or programme</p>	<p>The Town and Country Planning (Masterplan Consent Areas) (Scotland) Regulations 2024</p> <p>The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations 2024</p>
<p>Summary of aims and expected outcomes of strategy, proposal, programme or policy</p>	<p>The aim is to implement the provisions in the Planning (Scotland) Act 2019 on the procedures to cover Masterplan Consent Areas (MCAs).</p> <p>The Planning (Scotland) Act 2019 introduces MCAs as a new upfront consenting mechanism. Planning authorities will be able to use MCAs as part of a proactive, place-making approach to planning and consenting – enabling the type of development they wish to come forward in their places.</p> <p>MCAs are a flexible tool and could support a range of scales and types of development from small scale changes, up to major new developments. MCAs would effectively enable planning authorities to grant up-front consent for planned development, offering benefits to potential investors in terms of certainty and removing much of the risk. MCAs could support local priorities such as regeneration and town centre revitalisation.</p> <p>The Act provides the planning authority would prepare a MCA ‘scheme’, with scope to give a range of types of consent, including planning permission, plus roads construction consent, listed building consent and conservation area consent – where provided for in the particular MCA scheme. Development that is in line with the MCA scheme could be brought forward without the need to apply for permission.</p>
<p>Summary of evidence</p>	<p>There is clear evidence of socio-economic disadvantage and inequalities of outcome being linked to where people live and work. Many of these issues are complex and there are more targeted policy areas that will tackle them specifically. However, it is reasonable to assume that the planning system has a role in the way these inequalities impact on communities.</p> <p>Although the MCAs procedures will not focus specifically on socio-economic disadvantage and inequalities, the implementation of MCAs will be able to support local priorities, by providing upfront approvals for</p>

	<p>development that has been subject to community consultation and so supporting investment in those planned developments where people live and work.</p> <p>The MCA approach is about being more upfront, with the Council engaging the community in the preparation of the masterplan and scheme for an area, rather than the community having to react to potentially multiple applications and for different types of consents. MCAs should allow for a more joined up approach, making it easier for local communities to have their views heard.</p>
<p>Summary of assessment findings</p>	<p>The planning system should support decisions that improve equality and help to eliminate discrimination, with a fairer, more inclusive and equalities based approach to planning in the future. MCAs will not hinder that approach.</p> <p>MCAs have the potential to unlock significant areas for housing development and also support wider objectives including business development and town centre renewal. MCAs will allow planning authorities to plan; front-loading consideration of design, infrastructure and environmental matters at an earlier stage in the planning process and so placing authorities in a position of leading the planning of high quality places, rather than reacting to applications put before them.</p> <p>MCAs can support the delivery of LDP spatial strategies and particular local priorities, by providing upfront consent for development that has been subject to community consultation and so supporting investment in those planned developments.</p>
<p>Sign off</p>	<p>Name: Fiona Simpson</p> <p>Job title: Chief Planner</p> <p>Date 15/11/2023</p>

Island Communities Impact Assessment (ICIA)

<p>Title of policy, strategy or programme</p>	<p>The Town and Country Planning (Masterplan Consent Areas) (Scotland) Regulations 2024</p> <p>The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations 2024</p>
<p>Impact assessment process</p>	
<p>1- Understand your objective</p>	<p>The Planning (Scotland) Act 2019 includes provisions covering procedures for implementing Masterplan Consent Areas (MCAs), which will be a new upfront consenting mechanism.</p> <p>Planning authorities will be able to use MCAs as part of a proactive, place-making approach to planning and consenting – enabling the type of development they wish to come forward in their places.</p> <p>MCAs are a flexible tool and could support a range of scales and types of development across Scotland - from small scale changes, up to major new developments. MCAs would effectively enable planning authorities to grant up-front consent for planned development, offering benefits to potential investors in terms of certainty and removing much of the risk.</p> <p>The Act provides the planning authority would prepare a MCA ‘scheme’, with scope to give a range of types of consent, including planning permission, plus roads construction consent, listed building consent and conservation area consent – where provided for in the particular MCA scheme. Development that is in line with the MCA scheme could be brought forward without the need to apply for permission.</p>
<p>2 – Assess impact on islands</p>	<p>The proposed regulations are necessary to provide additional detail to the requirements set out in primary legislation. We consider there to be benefit in working to the principle that regulations are kept to the minimum necessary. This will provide for maximum flexibility or all authorities, including the</p>

	<p>islands. Guidance will explain the statutory procedures from the 2019 Act and the regulations.</p> <p>The proposals, as noted above, offer flexibility for local circumstances including island communities, in terms of the use and style of MCA schemes. We do not envisage that the provisions proposed will have significant, or different effects on island communities.</p>
3 – Consultation	<p>Previous consultation and engagement on the Planning Bill included an island proofing exercise undertaken through a collaborative workshop, held on 29 September 2017. It informed the Island Communities Impact Assessment, which was updated following Stage 2 of the Planning (Scotland) Bill. That assessment indicated the main theme from discussions was the need to allow flexibility for the islands – acknowledging that their needs were very different to that of towns and cities.</p> <p>This public consultation on the MCA Regulations will allow communities and representatives across all of Scotland will be able to voice their views on the proposals.</p>
4 – Assessment	<p>We consider that the implementation of MCA Regulations will not have a significantly different effect on island communities and therefore a full ICIA is not required.</p>

Business Regulatory Impact Assessment (BRIA) (partial)

Title of Proposal

Masterplan Consent Areas – Consultation on proposed secondary legislation

Purpose and Intended Effect

Background

An independent review of the Scottish planning system '[Empowering planning to deliver great places](#)' was published on 31 May 2016. The report noted the review panel were 'inspired by the flexibility provided by Simplified Planning Zones (SPZs) and proposed their principles could inform an adaptable approach to zoning areas of land for development including housing.' The independent Panel recommended that the SPZ approach 'be rolled out across Scotland' as a way to incentivise development.

The subsequent public consultation paper '[Places, People and Planning](#)' (January 2017) proposed 20 key changes, including: releasing more 'development ready' land, for example making greater use of SPZs. A Position Statement (June 2017) followed the consultation paper and indicated broad support for greater use of 'a zoned approach to development' similar to that provided for by SPZs. The Position Statement explained that there would be legislative change brought forward that would refresh and rebrand SPZs and allow them to be progressed in a wider range of circumstances.

The [Planning \(Scotland\) Act 2019 inserts a new section 54 and Schedule 5A](#) into the Town and Country Planning (Scotland) Act 1997, as amended to introduce Masterplan Consent Areas (MCAs).

The rename to MCAs is to meet the independent panel's recommendation from May 2016 to rebrand the SPZ mechanism, and to emphasise the placemaking role of the masterplan. This will require an element of culture change, as the rebrand require planners to rethink use of this tool (with the existing SPZ secondary legislation pre-dating the 1997 Act), as an effective, modern way to lead and facilitate development through front-loading.

Part 2 of the 2019 Act introduces new powers to designate MCAs, to support more effective delivery of development through zoning of land, frontloading of scrutiny and aligning of consents, and allow them to be progressed in a wider range of circumstances, including within conservation areas and offer other types of consent than solely planning permission including roads construction consent, listed building consent and conservation area consent – where provided for in the particular MCA scheme.

The MCA provisions have been designed in a way which addresses issues raised in the consultation including; design and quality to be built into schemes, community engagement to be incorporated and more front loaded and the need for environmental assessment. The separate regulations on EIA being developed and consulted upon in tandem will ensure that the preparation of MCA schemes is subject to, and meet EIA requirements, where necessary.

Objective

The aim is to implement the provisions in the Planning (Scotland) Act 2019 on the procedures to cover Masterplan Consent Areas (MCAs.) Schedule 5A of the Act establishes much of the detail around the content of MCA schemes and the procedures for making or altering schemes. The Act sets out the scope of regulations about form, content and procedure of MCA schemes.

The Planning (Scotland) Act 2019 introduces MCAs as a new upfront consenting mechanism. Planning authorities will be able to use MCAs as part of a proactive, place-making approach to planning and consenting – enabling the type of development they wish to come forward in their places.

MCAs are a flexible tool and could support a range of scales and types of development from small scale changes, up to major new developments. MCAs would effectively enable planning authorities to grant up-front consent for planned development, offering benefits to potential investors in terms of certainty and removing much of the risk. MCAs could support local priorities such as regeneration and town centre revitalisation.

The Act provides the planning authority would prepare a MCA ‘scheme’, with scope to give a range of types of consent, including planning permission, plus roads construction consent, listed building consent and conservation area consent – where provided for in the particular MCA scheme. Development that is in line with the MCA scheme could be brought forward without the need to apply for permission.

Rationale for Government Intervention

The 2019 Act amended the Town and Country Planning (Scotland) Act 1997, and included provisions covering procedures for implementing MCAs, which will be a new upfront consenting mechanism. These provisions give Scottish Ministers powers to prepare secondary legislation - regulations - concerning a range of related matters. The changes that are being proposed are necessary to ensure that the new legislative requirements operate effectively and in a way that is compatible with the Scottish Government’s wider policy objectives for the planning system.

Planning authorities will be able to use MCAs as part of a proactive, place-making approach to planning and consenting – enabling the type of development they wish to come forward in their places. MCAs will contribute to the following National Outcomes contained in the [National Performance Framework](#):

- We live in communities that are inclusive, empowered, resilient and safe.
- We have a globally competitive, entrepreneurial, inclusive and sustainable economy.

- We have thriving and innovative businesses, with quality jobs and fair work for everyone,
- We value, enjoy, protect and enhance our environment.
- We are healthy and active.

Public Consultation

Within Government

As procedural matters, falling under the Planning Act, responsibility for the preparing of these regulations lies primarily with the Scottish Government's Planning, Architecture and Regeneration Division (PARD). The proposals have been developed by a core team with assistance from colleagues across the Division.

The Scottish Government commissioned research carried out by Ryden, in association with Brodies, to research the use of SPZs and barriers to their uptake including resourcing, and to identify ways to overcome such barriers. That research '[Simplified Planning Zones and equivalent mechanisms outwith Scotland: research report](#)' was published in August 2017 and consisted of a policy and research review and case studies of comparable mechanisms of upfront consenting in Scotland and elsewhere. It included consultation with targeted interviews, from across the wider government interests including Heads of Planning Scotland, the Improvement Service, individual planning authorities, Scottish Futures Trust and Transport Scotland.

Additionally, PARD has engaged with Transport Scotland, Historic Environment Scotland and the Marine Directorate. Wide engagement with relevant areas of the Scottish Government and key agencies will continue through the consultation and finalisation of the regulations.

Public Consultation

Collaboration has informed the preparation of the consultation on the proposals for regulations. It follows on from the extensive engagement undertaken prior to the Planning (Scotland) Bill being considered by the Scottish Parliament.

An independent review of the Scottish planning system '[Empowering planning to deliver great places](#)' was published on 31 May 2016. The subsequent public consultation paper '[Places, People and Planning](#)' (January 2017) proposed 20 key changes, including: releasing more 'development ready' land, for example making greater use of SPZs.

A [Position Statement](#) (June 2017) followed the consultation paper and indicated broad support for greater use of 'a zoned approach to development' similar to that provided for by SPZs. The Position Statement explained that there would be legislative change brought forward that would refresh and rebrand SPZs and allow them to be progressed in a wider range of circumstances. Comments relevant to SPZs that were received via this consultation process were taken into account when developing proposals for MCA Regulations.

A consultation on [Planning Performance and Fees](#) was undertaken between December 2019 and February 2020. It included two questions relating to MCAs, asking:

- whether an authority should be able to charge for development within a MCA in order to recoup the costs involved in setting one up. From the responses received:
 - a substantial majority (87%) supported the proposal for planning authorities to be able to recoup the costs involved in setting up a MCA. The principle of recouping costs was supported by all groups.
 - suggestion that the fees should be left to the discretion of the planning authority to reflect their costs at a local level.
 - several respondents were not clear how such a fee would be calculated and charged appropriately to developers.
 - some respondents considered any fee should be less than that payable under the planning application route, and should not be designed to fully recoup the planning authority's costs.

- whether the Scottish Government should set a fee or an upper limit in the regulations. From the responses received:
 - there was support (58%) for the setting of a fee or upper limit in regulations.
 - mixed views, with business and civil society respondents tending to support the proposal whilst development industry and policy and planning respondents were evenly split on setting the fee or an upper limit.

There will be a further public consultation for 12 weeks between 28 February 2024 and 22 May 2024 on these draft Regulations.

Business

The '[Simplified Planning Zones and equivalent mechanisms outwith Scotland research](#)' included consultation consisting of targeted interviews, covering 25 groups, including 8 developers and consultants and a business representative body (Barratt Homes, Cairn Homes, IGLOO/BIGG Regeneration, Haus Architects, Patrizia, Pro-Vision, Scottish Property Federation, and the Wheatley Group). The conclusions from that research shaped the provisions on MCAs in the 2019 Planning Act and have informed the approach to the regulations.

We will invite views on this partial BRIA as part of the public consultation. We also intend to engage with business organisations representing a range of sectors during the consultation period.

Options

Option 1: Do nothing

The [National Planning Framework 4 Delivery Programme](#) (Sept 2023) sets out the approach for implementing NPF4 and includes key actions to be taken forward over the short and medium term. The delivery programme identifies MCA Regulations as a short term action for (2023) and medium term action (2024-28). Failure to deliver on this will impact negatively on stakeholder expectations.

Option 2: Implement MCA provisions within the Act through regulations (Preferred option)

Under this option, regulations will implement the provisions in the Planning (Scotland) Act 2019 on the procedures to cover Masterplan Consent Areas (MCAs). Draft regulations are included within the consultation paper.

Sectors and Groups Affected

Businesses

MCA's will offer developers greater certainty of consent with this being provided by the planning authority upfront, enabling them to raise necessary finance, without the risk of not securing consent.

Then if the developer comes forward with a proposal which complies with the scheme they do not have to put in a separate application for planning permission, roads construction consent, listed building consent or conservation area, if they were covered in the MCA scheme – offering potential for streamlining processes- and facilitating developers to get on site earlier.

MCA's have potential to support a range of sectors (including housebuilding, business and industry, commercial leisure, energy and town centre operators), and a range of business scales.

Going forward, there may be opportunities for businesses to support planning authorities in preparing new MCA's.

Local Authorities

Planning authorities are required to consider whether it would be desirable to make or alter a MCA scheme for a part or parts of their district and must set out what they decided and the reasons for their decision.

The regulations focus primarily on procedural requirements for planning authorities to implement MCA's. The proposed regulations are necessary to provide additional detail to the requirements set out in primary legislation and are intended to recognise the benefit in working to the principle that regulations are kept to the minimum necessary and that much of the detail of Scottish Ministers' expectations for implementation of the 2019 Act should be set out in guidance.

Communities

MCA's will impact on communities as they focus on the future of the places where people live, work, learn and play. The MCA preparation process provides opportunities for public involvement so the extent that the proposals will impact on these groups will be dependent on their willingness and need to become involved in these processes.

Public Bodies

The proposals would require planning authorities to consult with key agencies on their draft MCA schemes.

Benefits

Option 1: Do nothing

There are no benefits arising from this approach.

Option 2: Implement MCA provisions within the Act through regulations

MCAs would effectively enable planning authorities to grant up-front consent for planned development, offering benefits to potential investors in terms of certainty and removing much of the risk. Planning authorities will be able to use MCAs as part of a proactive, place-making approach to planning and consenting, supporting a range of scales and types of development from small scale changes, up to major new developments.

MCAs will support more effective delivery of development through zoning of land, frontloading of scrutiny and aligning of consents, and allow them to be progressed in a wider range of circumstances, including within conservation areas and offer other types of consent than solely planning permission including roads construction consent, listed building consent and conservation area consent – where provided for in the particular MCA scheme.

In addition, the effect of enabling and securing new development brings a range of benefits to a local authority:

- directly in the form of increased council tax and business rates income through attracting development and investment to their area
- increasing the marketability of sites covered by the MCA scheme and uplift in value of any council-owned land through land sales;
- potential for planning authorities to secure financial contributions from developers for development within the zone, through an upfront coordinated approach;and
- in terms of improved outcomes for communities through supporting economic growth, and the wellbeing economy.

By way of example, this type of upfront consenting can attract significant investment, for instance the Hillington Park SPZ has attracted over £25 million investment since its creation.

Costs

Option 1: Do nothing

There are no costs arising from this approach.

Option 2: Implement MCA provisions within the Act through regulations

In support of the Scottish Parliament's scrutiny of the 2017 Planning Bill the Scottish Government prepared an accompanying Financial Memorandum. This was updated following the Stage 2 scrutiny and provides the basis for the costs identified below.

Planning authorities already have a duty to review whether an SPZ should be prepared for any part of their area. Publishing a report on the equivalent review for MCAs is not expected to add any significant cost, particularly as it can be part of the LDP delivery programme the planning authority is already obliged to produce. At the time of the Planning Bill, the costs of including the report on MCAs was judged to be between £1,000 to £2,000 for each authority per year.

The preparation of any MCAs is optional for planning authorities, and should be based on an analysis of the costs and the benefits to be achieved. The cost of any individual MCA scheme will depend on the size of the size and its particular features, but costs may range from £15,000 to £200,000 based on existing examples.

We are looking at the scope for discretionary charging, allowing planning authorities to choose if they wish to recoup some of their costs. A [separate Scottish Government consultation focussing on wider resourcing considerations](#) will include a number of questions covering MCAs and discretionary charging. We also want to promote a collaborative approach to the production of MCA schemes, with planning authorities working in partnership with those who will benefit from the certainty of the MCA scheme (including developers, investors and business interests).

Any consultation body or public body may request a reasonable charge to cover the cost of making relevant information available which will inform the preparation of an EIA report.

Regulatory and EU Alignment Impacts

Intra-UK Trade

Is this measure likely to impact on intra-UK trade? No

International Trade

Is this measure likely to impact on international trade and investment? No

EU Alignment

Is this measure likely to impact on the Scottish Government's policy to maintain alignment with the EU? No

Scottish Firms Impact Test

The proposed changes are not expected to have any overall impact on Scottish Firms. Views from business and industry interests are however invited as part of the public consultation process.

Competition Assessment

There are no obvious impacts on competition from the proposed regulations or guidance, though views are being sought on this Interim BRIA as part of our consultation process

Consumer Assessment

The Scottish Government definition of a consumer is "anyone who buys goods or digital content, or uses goods or services either in the private or public sector, now or in the future". It is not anticipated that the proposed regulations or guidance will have any impact on consumers though views are being sought on this Interim BRIA as part of our consultation process.

Test Run of Business Forms

Both the draft MCA and MCA EIA Regulations will introduce new forms (otherwise known as notices by the regulations), for planning authorities to use. There will an opportunity during the consultation period to provide comments on these.

Digital Impact Test

Publicity arrangements for MCAs are set out in the proposed regulations and include requirements relating to publishing material on the internet. However, such measures are in addition to other publicity requirements so it is not considered that the proposed regulations will have any impact on digital technologies or on traditional or offline businesses.

Legal Aid Impact Test

These changes would not affect claims for legal aid.

Enforcement, Sanctions and Monitoring

The draft regulations set out that planning authorities are required to consider every five years whether it would be desirable to make or alter a MCA scheme for a part or parts of their district and must set out what they decided and the reasons for their decision. Planning authorities are required to publish their first statement within five years of the 2019 Planning Act gaining Royal assent (i.e. by 24 July 2024).

Implementation and Delivery Plan

The [National Planning Framework 4 Delivery Programme](#) (Sept 2023) sets out the approach for implementing NPF4 and includes key actions to be taken forward over the short and medium term. The delivery programme identifies MCA Regulations as a short term action (2023) and medium term action (2024-28).

The Act requires that planning authorities are required to consider before 24 July 2024 and every subsequent five year period whether it would be desirable to make or alter a MCA scheme for a part or parts of their district and must set out what they decided and the reasons for their decision.

Post-implementation Review

Evidence gathered during the consultation will help inform the finalise work to finalise the MCA regulations. The final BRIA will consider the post-implementation.

Future MCA guidance will be largely factual and will explain the statutory procedures from the 2019 Act and the sets of regulations. We intend to then engage with planning authorities, the HOPS network, key agencies, developers and other partners to identify and share good practice and to promote peer-to-peer learning as good practice develops as MCAs are implemented in practice.

PARD will review the statements published by planning authorities setting out whether they are making or altering MCA schemes in their areas to review take up and use of the new consent mechanism.

Summary and Recommendation

The above proposals for new regulations have emerged from legislative requirements set out in the Planning (Scotland) Act 2019 and following an extensive review of the planning system.

The above proposals aim to strike a balance between the need for clarity on one hand to support the implementation of MCAs in practice, whilst allowing a degree of flexibility to allow for best practice to evolve as MCA schemes are made.

Declaration and publication

I have read the partial Business and Regulatory Impact Assessment and I am satisfied that given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the leading options. I am satisfied that business impact will be assessed with the support of the businesses in Scotland.

Signed:	
Date:	7 th Feb 2024
Minister's name:	Joe Fitzpatrick MSP
Minister's title:	Minister for Local Government, Empowerment and Planning
Scottish Government Contact Point:	Adam Henry, Planning, Architecture and Regeneration Division

Strategic Environmental Assessment (SEA)

SEA Pre-Screening Document

Responsible Authority:

Scottish Government

Title of the plan:

The Town and Country Planning (Masterplan Consent Areas) (Scotland) Regulations 2024

The Masterplan Consent Area Scheme (Environmental Impact Assessment) (Scotland) Regulations 2024

What prompted the plan:

(e.g. a legislative, regulatory or administrative provision)

The Planning (Scotland) Act 2019 sets out an integrated package of proposed improvements to the planning system.

Plan subject:

(e.g. transport)

Town & country planning.

Brief summary of the plan:

(including the area or location to which the plan related)

The Regulations provide additional procedural detail around the requirements set out in Planning (Scotland) Act 2019 for preparing Masterplan Consent Areas across Scotland. The further detail in the Regulations is based on the broad principles that were outlined within the 2019 Act, and which was subject to Strategic Environmental Assessment (SEA).

These additions set out in Regulations would not be expected to have environmental effects in their own right as they are more administrative in nature, covering the preparation process and assessment process of what has already been outlined in the 2019 Act.

The EIA Regulations mirror the provisions within The Town and Country Planning (Environmental Impact Assessment) Regulations 2017, which have already been assessed and established.

Brief summary of the likely environmental consequences:

(including whether it has been determined that the plan is likely to have no or minimum effects, either directly or indirectly)

As the Planning (Scotland) Act 2019 was subject to SEA and the principles of Masterplan Consent Areas, it is our view the environmental impact of Masterplan Consent Areas has already been determined. The additional level of detail contained in the new Regulations has therefore no or minimal environmental effects beyond those that were already established by the assessment of the 2019 Act.

Brief summary of how environmental principles have been considered:

(including whether any of the guiding principles, as set out in section 13 of the Continuity Act, are relevant to the plan)

The environmental principles are imbedded within SEA, ensuring relevant plans and programmes that are subject to SEA consider how best to avoid environmental damage and if damage does occur it is addressed. As the 2019 Act was subject to SEA the environmental principles would have been considered within this assessment. As the new Regulations have no or minimal environmental effects in their own right it is our view the original assessment ensures the principles are embedded in the proposed regulations.

Contact details:

Adam Henry, Senior Planner,
Planning, Architecture and Regeneration Division, Scottish Government
adam.henry@gov.scot

Date of opinion:

20 October 2023

When completed send to: SEA.gateway@scotland.gsi.gov.uk or to SEA Gateway, Scottish Government, Area 2H (South), Victoria Quay, Edinburgh, EH6 6QQ

Data Protection Impact Assessment (DPIA)

Masterplan Consent Area Regulations – Consultation Only

1. Introduction

The purpose of this assessment is to consider the privacy implications associated with the consultation arrangements undertaken by the Planning, Architecture and Regeneration Division (PARD) of the Scottish Government.

The Data Protection Impact Assessment (DPIA) was prompted by the development of the consultation on Masterplan Consent Area (MCA) Regulations.

2. Document metadata

Name of Project: Masterplan Consent Area Regulations Consultation

Author of report: Adam Henry

Date of report: 14 November 2023

Name of Information Asset Owner (IAO) of relevant business unit: Fiona Simpson

Date for review of DPIA: TBC

Review date	Details of update	Completion date	Approval Date

3. Description of the project

The Planning (Scotland) Act 2019 amended the Town and Country Planning (Scotland) Act 1997, and included provisions covering procedures for implementing MCAs. These provisions give Scottish Ministers powers to prepare secondary legislation and the consultation will be seeking views on the proposed approach to implementing these provisions.

Planning authorities will be able to use MCAs as part of a proactive, place-making approach to planning and consenting – enabling the type of development they wish to come forward in their places. The separate regulations on Environmental Impact Assessment (EIA) being developed and consulted upon in tandem will ensure that the preparation of MCA schemes is subject to, and meet EIA requirements, where necessary.

The consultation will ask a series of questions, with a mix of open and closed questions, although all the closed questions will allow the opportunity to provide reasons for their answer. There will be no text limit for the free text responses.

The questionnaire will be downloadable and hard copies may be posted / e-mailed out to meet specific respondent's requirements if requested. Hard copies will be returned directly to PARD to ensure confidentiality. Personal data will also be requested to enable a receipt of response or to enable feedback to any queries received.

It is our usual practice to publish the responses as per the preferences that respondents have indicated via Citizen Space, or, where responses arrived by e-mail / post, via the Respondent Information Form (RIF), which asks about data release preferences.

Following the closure of any consultation, we would look to publish responses where approval has been given for this by the respondent. All the responses will be moderated.

PARD will analyse the responses received and provide a clear and concise report for publication, which reflects a robust analysis of the consultation responses, in order to inform the next stages of policy / legislatively development.

Consultation Process

Consultations are hosted on Citizen Space, the Scottish Government's digital platform for consultations, and published on the [Consultation Hub](#), enabling people to submit their response online. Citizen Space is managed by the Scottish Government's Digital Engagement Team.

Consultations are also published on the Scottish Government website, enabling people to email or post a response.

The consultations will run for 12 weeks starting on 28 February 2024 until 22 May 2024.

Governance

The governance arrangements for consultations broadly involve the following:

- Consultation Manager (Scottish Government): Adam Henry
- Digital Engagement Manager, Comms (Scottish Government): DigitalEngagement@gov.scot

Reporting

The Consultation Manager will be responsible for the analysis of the consultation responses, as well as the preparation of the final reports. The final consultation analysis report will be published on the Scottish Government's website. It is the responsibility of the Consultation Manager to ensure that their methods do not contravene the provisions of current Data Protection Laws.

Data Protection Laws means any law, statute, subordinate legislation, regulation, order, mandatory guidance or code of practice, judgement of a relevant court of law, or directives or requirements of any regulatory body which relates to the protection of individuals with regard to the processing of Personal Data to which a Party is subject including the Data Protection Act 2018 and any statutory modification of re-enactment thereof, and the General Data Protection Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data on the free movement of such data, and repealing Directive 95/46/EC.

4. Data Controller and Data Processor

Data Controller and Data Processor: The Scottish Government.
Information Asset Owner: Fiona Simpson

Data to be processed

Variable	Data Source
E-mail address	Citizen Space (online responses). Respondent Information Form (emailed or postal responses).
Name	Citizen Space (online responses). Respondent Information Form (emailed or postal responses).
Whether a person is responding on behalf of an organisation, or issuing a response as an individual. (If respondent is from an organisation, they are asked the type of organisation – developer, public sector, community council etc.).	Citizen Space (online responses). Respondent Information Form (emailed or postal responses).
Postal address	Respondent Information Form (postal responses).
Contact telephone number	Respondent Information Form (emailed or postal responses).

Data Subjects

The data subjects are the self-selecting respondents to the consultation. Responses may be submitted by both individual members of the public and by organisations. During the data collection process, all respondents are asked to provide information about themselves, either via the Citizen Space online platform or by completing a Respondent Information Form. This form asks respondents to state their publication preference as follows.

The Scottish Government would like your permission to publish your consultation response.

Please indicate your publishing preference:

- Publish response with name
- Publish response only (without name)
- Do not publish response

If **individual** respondents do not answer this question, the default position is not to publish their response.

If an **organisation** respondents select 'do not publish' or do not answer this question, the organisationname may still be listed as having responded to the consultation.

Respondents are also asked to indicate whether they are content to be contacted again in the future by the Scottish Government in relation to this specific consultation exercise.

Data Collection, Storage and Transfer

Data will predominately be collected from data subjects electronically via the Citizen Space online platform. Some respondents may also submit their response via post or email and these are uploaded on to Citizen Space by the Scottish Government. Responses on Citizen Space can either be downloaded individually or automatically entered into a database (downloadable onto Excel).

Data Access

Citizen Space will securely hold the consultation responses submitted online or uploaded as attachments, and it will be possible to download the database of online responses onto Microsoft Excel.

The database will include all or some of the following information about each respondent who replied using the online data form or by email or post and either completed a Respondent Information Form or provided the information within their response:

- Name
- Email address
- Responding as an individual or an organisation (If responding on behalf of an organisation) Organisation's name and sector (from list of options -e.g. public, private, third).
- Permission to publish consultation response (public response with name, publish response only, do not publish response).
- Content to be contacted by the Scottish Government in the future in relation to this consultation exercise
- All inputted responses to the consultation questions.

Data Cleaning

Before beginning the analysis, the Consultation Manger will identify any blank or duplicate responses. Blank responses will be removed before analysis. Multiple different responses submitted by the same individual or organisation will be combined into a single composite response.

For audit and quality control purposes, a record will be kept of any exclusions or changes made to responses included in the final database (i.e. any responses that are excluded from the analysis and the reason for exclusion; any identified as campaign responses; and any reclassification of organisation type). This information will be provided in a separate worksheet within the master database and referred to in the final report.

Data Publication

Responses will be published in accordance with respondents' expressed publication preferences. Where respondents have given permission for their response to be published, with or without their name, and after the Scottish Government has redacted any personal data or defamatory content, consultation responses will be published at <http://consult.gov.scot>.

Data Purging and Archival

The consultation datasets will be held on a secure, password protected server in the Scottish Government, in a sub-folder which is restricted to a limited number of staff working on the Consultation. It is expected that the data will only be held for as long as the data is required. As soon as possible after the project is completed, a review will take place to determine whether the data needs to be retained or destroyed.

If it is decided that there is

- no rationale to justify continuing to hold the data, then it will be destroyed,
- justification to continue to hold the data then it can be held until a further review 12 months later.

Explain the legal basis for the sharing with internal or external partners:

The legal basis for processing personal data will be public task.

The analysis of the data arising from the consultations provides information that will assist the Scottish Ministers in fulfilling their duties to engage under a range of legislation, including those requiring the preparation of impact assessments under environmental, equalities and islands legislation. The information may form the basis of future discussion with key stakeholders.

5. Stakeholder analysis and consultation

List all the groups involved in the project, and state their interest

Group	Interest
Local authorities	Statutory role as decision-makers in the planning system
Other public bodies	May have a role as a key agency / statutory consultee, or use planning to delivery development. Key Agencies in Development Planning are listed here: https://www.gov.scot/groups/key-agencies-group/ Development Management statutory consultees are listed in Schedule 5 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013.
Public at large	Development decisions made by elected members impact on the places they live, work or play
Community Councils	Statutory role in the planning system
Equality, Amenity and Environmental Interests / Groups	Provide representations reflecting their particular cultural, environmental, societal interest
Business and developer interests	Private sector organisations, individual businesses and enterprises which use the planning system to deliver investment and development
PARD Team	Developing and producing the consultation paper for consultation, and analysing responses
Data Protection and Information Asset Team	Advice on completing the DPIA
Digital Engagement Unit	Creating the consultation in Citizen Space

Method used to consult with these groups when making the DPIA

Respondents will be invited, through the consultation, to comment on the DPIA.

Method used to communicate the outcomes of the DPIA

We will publish the finalised DPIA on the Scottish Government official platform.

6. Questions to identify privacy issues

All staff involved in processing data will be aware of procedures for data security and privacy, to comply with GDPR. All project staff will know how to recognise a personal data breach (PDB) and how to report suspected breaches in line with GDPR requirements.

Anonymity and pseudonymity

Scottish Government will be responsible for ensuring that responses are published in accordance with respondents' expressed publication preferences.

Individual respondents' names will be published with their responses only if they have given explicit permission for this. Where an individual respondent selects 'publish response only', SG will redact their name and any other potentially identifiable information from their response. Any direct quotations from responses included in the report will not be attributed to identifiable individuals, regardless of their expressed publication preference. There will be no quotations from responses where permission to publish has not been given.

Organisation respondents which select the option 'publish response only (without name)' may still have the organisation name published, but the name of the specific person submitting the response will not be published. Organisations which have given permission for their response to be published could be mentioned by name in the final report, though it is also possible that, rather than being explicitly named, they might be referred to as 'an organisation from the private/ public/ third sector' etc.

We will keep under review whether anything else needs to be redacted from responses should it risk revealing a respondent's identity.

Technology

Citizen Space is a secure online platform which will hold consultation responses. Where responses are not received via Citizen Space, such as by post / email, these are uploaded onto Citizen Space by the Scottish Government.

Identification methods

Identifiable respondent information is accessible in the dataset created through Citizen Space.

Sensitive/Special Category personal data

It is not anticipated that many of the consultation responses would contain 'special category data,' as defined by GDPR. The legal basis for processing this data, under Article 9 of GDPR, will be 'substantial public interest.'

(g) processing is necessary for reasons of substantial public interest, on the basis of Union or Member State law which shall be proportionate to the aim pursued, respect the essence of the right to data protection and provide for suitable and specific measures to safeguard the fundamental rights and the interests of the data subject'.

However, there is a risk that such data is submitted in free text boxes. Data on text boxes will be reviewed and irrelevant 'special category' data removed.

Changes to data handling procedures

There will be no changes to general data handling procedures for consultations.

Statutory exemptions/protection

We don't believe that any exemptions from the Data Protection Act will apply to this project. Though exemptions for statistical and research purposes may apply.

Justification

PARD will analyse the responses received and provide a clear and concise report for publication, which reflects a robust analysis of the consultation responses, in order to inform the next stages of policy / legislatively development.

Other risks

None Identified

7. General Data Protection Regulation (GDPR) Principles

Principle	Compliant –Yes/No	Description of how you have complied
6.1 Principle 1 – fair and lawful, and meeting the conditions for processing	Yes	<p>The legal basis for processing personal data will be public task.</p> <p>Planning, Architecture and Regeneration Division has prepared a privacy statement which is available on the Scottish Government website. https://www.transformingplanning.scot/privacy/</p> <p>The Scottish Government would communicate this to consultees before they make their comments in any consultation.</p>
6.2 Principle 2 – purpose limitation	Yes	<p>The data will be collected for specific purposes and will not be processed in a manner incompatible with those purposes. The purpose will be clearly explained to respondents prior to responding.</p>
6.3 Principle 3 – adequacy, relevance and data minimisation	Yes	<p>The consultation will only gather necessary information to achieve the project's objectives.</p> <p>Participants are able to input as much information as they would like to open questions, and are able to skip open questions.</p>
6.4 Principle 4 – accurate, kept up to date, deletion	Yes	<p>The data from the consultation and analysis does not need to be kept up to date as it represents the participants' views and circumstances at the point of collection. It will be deleted in accordance with SG retention and disposal strategy (See Principle 5 for deletion).</p>

6.5 Principle 5 – kept for no longer than necessary, anonymization	Yes	The data processor will be processing data which is directly identifiable in the dataset. Anonymisation measures are set out in section 5. Review measures will be in place to ensure that the data will be kept for no longer than is necessary for its lawful purpose by the Scottish Government.
6.6 GDPR Articles 12-22 –data subject rights	Yes	Data subjects rights are set in the SG privacy policy which is to be found in the RIF linked to the consultation process. The data controller will process and manage any requests to exercise the rights of the data subject.
6.7 Principle 6 - security	Yes	Data will be protected from loss or unlawful processing using appropriate methods, including storing electronic data on password protected secure servers.
6.8 GDPR Article 44 - Personal data shall not be transferred to a country or territory outside the European Economic Area.	Yes	The project is not expected to involve the transfer of data outside the EEA. For customers in the EU, Rackspace is its Infrastructure as a Service hosting provider. Rackspace provides and manages the UK datacentres in which the Citizen Space site is hosted.

8. Risks identified and appropriate solutions or mitigation actions proposed

Is the risk eliminated, reduced or accepted?

Risk	Solution or mitigation	Result
We may not have a lawful basis to process the personal data	We have identified an appropriate lawful basis under Article 6(1)(e) 'necessary in the performance of a task carried out in the public interest' to meet our duties under the Planning (Scotland) Act 2019.	Eliminated
We may fail to keep personal data protected against loss, unauthorised access and accidental damage	Electronic data is securely transferred to the data processor and must be password protected or encrypted. Any paper copies of documents holding personal information (i.e. posted responses) are kept in locked cabinets when possible. Data processing staff are required to comply with SG terms and conditions around data security.	Reduced
We may publish data that may enable the identification of individuals	The data will be reviewed and prepared for redaction to ensure that where an individual has not provided permission for their name to be published it is removed. This responsibility sits with the policy lead.	Reduced

We may fail to properly inform individuals of the data processing activity	A privacy notice will be in place to fully inform individuals about the processing and will be made available to view in Citizen Space before any data is request. The privacy notice will also be available in hard copy.	Reduced
We may process special category data without lawful basis	Free text box content will be reviewed and any irrelevant data will be deleted as soon as possible.	Reduced
We may keep personal data for longer than necessary	There is a process to ensure that personal data is deleted at the end of consultations timeously. (see above under Data Purging and Archival section for timescales)	Reduced

9. Incorporating Privacy Risks into planning

Risk	How risk will be incorporated into planning	Owner
We may publish data that may enable the identification of individuals We may fail to properly inform individuals of the data processing activity We may process special category data without lawful basis	The data will be reviewed and prepared for redaction to ensure that the appropriate permissions are in place and that information in free text boxes is reviewed. This responsibility sits with the policy lead.	Information Asset Owner
We may keep personal data for longer than necessary	It will be the responsibility to comply with the requirements of removing personal data within the required time limit.	Information Asset Owner

10. Data Protection Officer (DPO)

The DPO may give additional advice, please indicate how this has been actioned.

Advice from DPO	Action
Confirm the legislative basis for the regulations and associated consultation	Confirmed

11. Authorisation and publication

I confirm that the impact of undertaking the MCA Regulations Consultation has been sufficiently assessed against the needs of the privacy duty:

Name and job title of a IAO or equivalent Fiona Simpson, Chief Planner	Date each version authorised 15 November 2023
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