



E: developmentplans@gov.scot

Alistair Shaw
Development Plan Co-ordinator
Falkirk Council Development Services

By email: alistair.shaw@falkirk.gov.uk

Copy to: louise.blance@falkirk.gov.uk

Date: 13 July 2021
Our ref: A33991510

Dear Alistair

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997
NOTICE OF INTENTION TO ADOPT SUPPLEMENTARY GUIDANCE –
DEVELOPER CONTRIBUTIONS (SG13)**

I refer to your correspondence of 17 March and 23 March 2021 certifying notice of Falkirk Council's intention to adopt the above supplementary guidance.

Scottish Ministers give notice that the supplementary guidance 'Developer Contributions' (SG13) may not be adopted until modifications specified in Annex A to this notice have been made. These modifications are required to ensure consistency with the existing legislation.

For the avoidance of doubt, prior to adopting this document as supplementary guidance, your Authority should satisfy itself that it has met the requirements set out in the Town and Country Planning (Development Planning) (Scotland) Regulations 2008.

In particular, we would bring to your attention the need to comply with section 27(2) of the above regulations, which state that supplementary guidance adopted and issued under section 22(1) of the 1997 Act (in connection with a particular local development plan), may only deal with the provision of further information or detail in respect of the policies or proposals set out in the plan and then only provided that those are matters which are expressly identified in a statement contained in the plan as matters which are to be dealt with in supplementary guidance.

Yours sincerely,

Robin Campbell
Planning & Architecture Division

ANNEX A

FALKIRK COUNCIL: SUPPLEMENTARY GUIDANCE - DEVELOPER CONTRIBUTIONS (SG13)

MODIFICATION TO BE MADE

1. Remove the following sentence on Page 22, paragraph 7.8:
'Applicants will be liable for all legal costs incurred by the Council relating to the legal agreement.'