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STATUTORY INSTRUMENTS

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**1993 No. 1038 (S.147)**

**TOWN AND COUNTRY PLANNING, SCOTLAND**

**The Town and Country Planning (Use Classes) (Scotland) Amendment Order 1993**

*Made* - - - - - *6th April 1993*  
*Coming into force* - - - - - *1st May 1993*

The Secretary of State, in exercise of the powers conferred on him by sections 19(2)(f) and 273(3) of the Town and Country Planning (Scotland) Act 1972((1)) and of all other powers enabling him in that behalf hereby makes the following Order:

**Citation and commencement**

1.—(1) This Order may be cited as the Town and Country Planning (Use Classes) (Scotland) Amendment Order 1993 and shall come into force on 1st May 1993.

(2) In this Order “the principal Order” means the Town and Country Planning (Use Classes) (Scotland) Order 1989((2)).

**Hazardous Substances**

2.—(1) In article 2 of the principal Order (interpretation), the definitions of “hazardous substance” and “notifiable quantity” shall be deleted.

(2) In article 3 of the principal Order (use classes), paragraph (5)(i) shall be deleted.

**Special Industrial Uses**

3.—(1) In article 3 of the principal Order (use classes)—

- (a) in paragraph (4), for “classes 6 to 10” there shall be substituted “classes 7 to 10”;
- (b) in paragraph (5), after sub-paragraph (h) insert “(i) for any work registrable under the Alkali, etc. Works Regulation Act 1906”((3)).

(2) In the Schedule to the principal Order—

- (a) in class 5, for “classes 6 to 10” there shall be substituted “classes 7 to 10”;

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(1) 1972 c. 52; section 19(2)(f) was amended by paragraph 29 of Schedule 11 to the Housing and Planning Act 1986 (c. 63).  
(2) S.I. 1989/147.  
(3) 1906 c. 14; amended by S.I. 1983/943.

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**Status:** This is the original version (as it was originally made). This item of legislation is currently only available in its original format.

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(b) class 6 (Special Industrial Group A) shall be deleted.

St. Andrew's House,  
Edinburgh  
6th April 1993

*Allan Stewart*  
Parliamentary Under Secretary of State, Scottish  
Office

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## EXPLANATORY NOTE

*(This note is not part of the Order)*

This Order amends the Town and Country Planning (Use Classes) (Scotland) Order 1989 (“the principal Order”). The principal Order specifies classes for the purposes of section 19(2)(f) of the Town and Country Planning (Scotland) Act 1972, which provides that a change of use of a building or other land does not involve development for the purposes of the Act if the new use and the former use are both within the same specified class.

This Order amends the principal Order by–

- (a) removing the exclusion from the principal Order of any use for a purpose involving a hazardous substance (the presence of a hazardous substance will be controlled in future under the Town and Country Planning (Hazardous Substances) (Scotland) Regulations 1993 (S.I.1993/323), which come into force on the same date as this amendment) (article 2);
- (b) excluding from any specified class use for any work registrable under the Alkali, etc. Works Regulation Act 1906 (previously Class 6–Special Industrial Group A) (article 3).