Town and Country Planning (Scotland) Act 1972

1972 CHAPTER 52

PART XV

MISCELLANEOUS AND SUPPLEMENTARY PROVISIONS

265   Rights of entry

(1) Any person duly authorised in writing by the Secretary of State or by a local planning authority may at any reasonable time enter upon any land for the purpose of surveying it in connection with—

(a)   the preparation, approval, adoption, making or amendment of a structure plan or local plan relating to the land under Part II of this Act, including the carrying out of any survey under that Part;

(b)   any application under Part III or section 60 or 63 of this Act, or under any order or regulations made thereunder, for any permission, consent or determination to be given or made in connection with that land or any other land under Part III or either of those sections of this Act or under any such order or regulations;

(c)   any proposal by the local planning authority or by the Secretary of State to make or serve any order or notice under Part III (other than section 44), Part IV or Part V of this Act, or under any order or regulations made thereunder or any notice under section 105 of this Act

(2) Any person duly authorised in writing by the Secretary of State may at any reasonable time enter upon any land for the purpose of surveying any building thereon in connection with a proposal to include the building in, or exclude it from, a list compiled or approved under section 52 of this Act.

(3) Any person duly authorised in writing by the Secretary of State or a local planning authority may at any reasonable time enter upon any land for the purpose of ascertaining whether, with respect to any building on the land, an offence has been, or is being, committed under section 53 or 94 of, or Schedule 10 to. this Act. or whether the building is being maintained in a proper state of repair.

(4) Any person duly authorised in writing by the Secretary of State, a local planning authority or a local authority may at any reasonable time enter upon any land for the purpose of ascertaining whether—

    (a) an offence appears to have been committed under section 55 of this Act; or

    (b) any of the functions conferred by section 97 or 99 of this Act should or may be exercised in connection with the land,

or for the purpose of exercising any of those functions in connection with the land.

(5) Any person, being an officer of the Valuation Office or a person duly authorised in writing by the Secretary of State, may at any reasonable time enter upon any land for the purpose of surveying it, or estimating its value, in connection with a claim for compensation under Part VII of this Act in respect of that land or any other land.

(6) Any person, being an officer of the Valuation Office or a person duly authorised in writing by a local planning authority, may at any reasonable time enter upon any land for the purpose of surveying it, or estimating its value, in connection with a claim for compensation in respect of that land or any other land, being compensation payable by the local planning authority under Part VIII of this Act (other than section 164), under section 201(5) of this Act or under Part XI of this Act (other than section 226(2) or 227(1)(c)).

(7) Any person, being an officer of the Valuation Office or a person duly authorised in writing by a local authority or Minister authorised to acquire land under section 102 or 103 of this Act, and any person duly authorised in writing by a local authority having power to acquire land under Part VI of this Act, may at any reasonable time enter upon any land for the purpose of surveying it, or estimating its value, in connection with any proposal to acquire that land or any other land, or in connection with any claim for compensation in respect of any such acquisition.

(8) Subject to the provisions of section 266 of this Act, any power conferred by this section to survey land shall be construed as including power to search and bore for the purpose of ascertaining the nature of the subsoil or the presence of minerals therein.