



Town and Country Planning (Scotland) Act 1997

1997 CHAPTER 8

PART VII

SPECIAL CONTROLS

CHAPTER I

TREES

Tree preservation orders

161 Form of and procedure applicable to orders

- (1) Subject to section 163 and 249, a tree preservation order shall not take effect until it is confirmed by the planning authority and the planning authority may confirm any such order either without modification or subject to such modifications as they consider expedient.
- (2) As soon as a tree preservation order is confirmed, the planning authority shall record it in the appropriate Register of Sasines or, as the case may be, register it in the Land Register of Scotland.
- (3) Provision may be made by regulations with respect to—
 - (a) the form of tree preservation orders, and
 - (b) the procedure to be followed in connection with the confirmation of such orders.
- (4) Without prejudice to the generality of subsection (3), the regulations may make provision—
 - (a) that, before a tree preservation order is confirmed by the planning authority, notice of the making of the order shall be given to the owners, lessees and

Status: This is the original version (as it was originally enacted).

occupiers of land affected by the order and to such other persons, if any, as may be specified in the regulations,

- (b) that objections and representations with respect to the order, if duly made in accordance with the regulations, shall be considered before the order is confirmed by the planning authority, and
- (c) that copies of the order, when confirmed by the authority, shall be served on such persons as may be specified in the regulations.